

ARTICLE 11**ZONE DISTRICT REGULATIONS****§ 11.01. ZONE DISTRICTS.**

- A. **Districts enumerated.** For the purposes of this ordinance, the Town of Westfield is hereby divided into twenty-seven (27) zone districts, as shown on the Zoning Map, and identified as follows:

RS-40 Single Family Residence District
RS-24 Single Family Residence District
RS-16 Single Family Residence District
RS-12 Single Family Residence District
RS-10 Single Family Residence District
RS-8 Single Family Residence District
RS-6 Single Family Residence District

RM-12 Single Family and Two Family Residence District
RM-8 Single Family and Two Family Residence District
RM-6 Single Family and Two Family Residence District
RM-6D Single Family, Two Family and Duplex Residence District

RA-1 Housing for Elderly Residence District
RA-2 Garden Apartment Residence District
RA-3 Garden Apartment Residence District
RA-4 Senior Citizens Housing Residence District
RA-5A Multi-family Residence District
RA-5B Multi-family Residence District

P-1 Professional Office District
P-2 Professional Office District
O-1 Office District
O-2 Office District
O-3 Office - Research District

CBD Central Business District
GB-1 General Business District
GB-2 General Business District
GB-3 General Business District
C Commercial District

- B. **Application of regulations.** The zoning regulations in this article are intended to be uniform throughout each zoning district for each class or kind of buildings or other structures or uses of land. In case of conflicting regulations in this article, determination of the applicable regulation shall lie with the Zoning Board of Adjustment.

§ 11.02. SCHEDULE AND MAP.

- A. **Zoning map.** The Zoning Map of the Town of Westfield, as prepared by Robert Catlin and Associates and dated July 1998, is hereby declared to be a part of this Ordinance. **[Amended 7-01-03 by Ord. No. 2086; 7-01-03 by Ord. No. 2087; 6-06-06 by Ord. No. 1867]**
- B. **Zone district boundary lines. [Amended 8-03-04 by Ord. No. 1839]**
The zone district boundary lines shown on the Zoning Map are intended to follow property lines existing at the date of the adoption of the map, the center line of street right-of-ways, the center line of railroad tracks and municipal boundary lines, as applicable. In case of uncertainty or disagreement as to the precise location of any zone district boundary line, the determination thereof shall lie with the Zoning Board of Adjustment. In the case of a lot that is split by a zone district boundary line, and the zone districts on the lot have different requirements, application of the requirements shall be as follows, unless the provisions of this chapter specifically indicate otherwise:
1. The use shall comply with the required use standards for the zone district within which the use is located.
 2. The lot shall be required to comply with the most restrictive of the minimum lot area, minimum lot width, minimum average lot width, minimum lot frontage, and minimum lot depth standards of the various zone districts on the lot.
 3. The yard setbacks shall be required to comply with the required dimensions for such setbacks of the zone district within which the yard is located; thus, each portion of a building that is split by a zone boundary would be subject to the setback standards of the zone within which that portion of the building is located. In the event that it is not possible to measure the yard depth without crossing a zone district boundary, the most restrictive setback standard of the various zones shall apply, but only to those locations where the measurement would cross the zone boundary.
 4. The height of structures shall comply with the height requirements for the zone district within which such structures are located. In the case of a structure that is split by a zone district boundary, the most restrictive height standard shall apply.
 5. The number of parking spaces required based upon floor area shall comply with the standard applicable to the zone within which the building is located. In the case of a building that is split by a zone boundary, the parking standard in each zone shall apply to that portion of the building floor area located in such zone.

6. The coverage by above-grade structures, the coverage by improvements, floor area ratio and density shall be required to comply with the standard for the zone in which the structures and improvements are located, calculated using the entire lot area. In the case of a building or buildings or improvements located partially in more than one zone district, a pro rata standard shall apply to the entire lot, using the following formula:

- a. Calculate that percentage of the total coverage, floor area or number of dwelling units on the lot, as applicable, proposed in each zone.
- b. Multiply the percentages resulting from the calculation in [1] above for each zone times the applicable standard for coverage, floor area ratio or density, of the same zone.
- c. Add the results from the calculations in [2] above to determine the applicable standard.

As an example, consider a development located on a lot split by a zone boundary. Zone A permits 25% improvement coverage and zone B permits 20% coverage. The development proposes 3,000 square feet of coverage in zone A and 2,000 square feet of coverage in zone B, for a total of 5,000 square feet of coverage. The permitted coverage for the above-grade structures would be 23% of the total lot area, calculated as follows:

- $3,000 \text{ sq. ft. coverage proposed in zone A} \div 5,000 \text{ sq. ft. total proposed coverage} = 60\%$ of total coverage proposed in zone A. $2,000 \text{ sq. ft. coverage proposed in zone B} \div 5,000 \text{ sq. ft. total proposed coverage} = 40\%$ of total coverage proposed in zone B.
- 60% of total coverage proposed in zone A \times 25% coverage permitted in zone A = 15%. 40% of total coverage proposed in zone B \times 20% coverage permitted in zone B = 8%.
- $15\% + 8\% = 23\%$ of total lot area permitted to be covered by improvements.

One can see by the above example that if 100% of the coverage were proposed on that portion of the lot in Zone A, then 25% coverage would be permitted, whereas if 100% of the coverage were proposed on that portion of the lot in Zone B, then 20% coverage would be permitted. Any other situation would result in a permitted coverage somewhere between 20% and 25%.

- C. **Schedule of requirements.** The schedule entitled "SUMMARY OF ZONING STANDARDS" prepared by Robert Catlin and Associates and dated July, 1998 is hereby declared to be a part of this ordinance. The schedule is a generalized summary of the use, bulk, lot, density and intensity regulations established for each zone district. The regulations established for each zone district in the text of this ordinance provide greater detail than the schedule and take precedence over the standards in the schedule. The schedule is not intended to present a comprehensive list of all applicable zoning regulations.

§ 11.03. RS-40 SINGLE FAMILY RESIDENCE DISTRICT.

- A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RS-40 zone district:

1. single-family residential uses in detached single family residential structures;
2. public parks and playgrounds;
3. public and private golf courses with a lot area of at least one hundred (100) acres; and,
4. community residences and shelters.

- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RS-40 zone district:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14;
4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
5. antennas, as regulated in § 13.04; and,
6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RS-40 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. residential cluster development;

2. limited child care homes;
 3. houses of worship;
 4. public and private non-profit schools;
 5. Board of Education administrative offices;
 6. non-profit chartered membership organizations;
 7. residential type public utility facilities; and,
 8. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RS-40 zone district.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations for conventional development.** The following bulk and lot regulations shall apply to conventional development within the RS-40 zone district:
1. Minimum lot area. Every lot shall contain a minimum lot area of forty thousand (40,000) square feet.
 2. Minimum lot width. There shall be a minimum lot width of one hundred and fifty (150) feet, provided, however that the minimum lot width of corner lots shall be one hundred and sixty (160) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least forty thousand (40,000) square feet within two hundred and sixty-seven (267) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least forty thousand (40,000) square feet within two hundred and fifty (250) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**
 3. Minimum lot frontage. There shall be a minimum lot frontage of one hundred and fifty (150) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be one hundred and sixty (160) feet. **[Amended 9-27-05 by Ord. No. 1856]**
 4. Minimum lot depth. There shall be a minimum lot depth of two hundred (200) feet for all lots.
 5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of sixty (60) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than thirty (30) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than twenty (20) feet.
7. Minimum rear yard. There shall be a rear yard of at least sixty (60) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Regulations for residential cluster development.** If residential cluster development is permitted pursuant to the conditional use regulations in Article 18, the following regulations shall apply:

1. Open space location. Open space in the development shall be suitably located. In reviewing the location of open space, the Planning Board shall consider the following locations to be appropriate, unless it is shown that such locations are unsuitable for open space:
 - a. adjacent to existing open space parcels;
 - b. in environmentally sensitive areas, including areas containing slopes greater than fifteen percent (15%), wetlands, wetland transition areas, floodways and flood hazard areas and existing stands of trees; and
 - c. locations in which the existing topography, vegetation, soil conditions and access are suitable for the intended use of the open space.
2. Layout of dwelling lots and open space. Dwelling lots and open space in a cluster development shall be designed to comply with the following:

- a. At least seventy-five percent (75%) of the total number of dwelling lots shall be contiguous to and have direct access to the open space.
 - b. Any lots which are not contiguous to or do not have direct access to an open space parcel shall have access to an open space parcel, which access is located no further than two hundred (200) feet from the open space parcel, measured between the dwelling lot boundary and open space boundary along the route of pedestrian access.
 - c. Any open space parcel shall be a size and dimension appropriate for the intended use of the open space and so as to avoid interfering with the use and enjoyment of adjacent properties.
3. Lot and bulk requirements. Each lot intended for residential use in a cluster development shall conform to the following:
- a. Minimum lot area. Every lot shall contain a minimum lot area of sixteen thousand (16,000) square feet.
 - b. Minimum lot width. There shall be a minimum lot width of ninety (90) feet, provided, however that the minimum lot width of corner lots shall be ninety-five (95) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least sixteen thousand (16,000) square feet within one hundred and seventy-eight (178) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least sixteen thousand (16,000) square feet within one hundred and sixty-nine (169) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**
 - c. Minimum lot frontage. There shall be a minimum lot frontage of ninety (90) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be ninety-five (95) feet. **[Amended 9-27-05 by Ord. No. 1856]**
 - d. Minimum lot depth. There shall be a minimum lot depth of one hundred and forty (140) feet for all lots.
 - e. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.

- f. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than fifteen (15) feet.
 - g. Minimum rear yard. There shall be a rear yard of at least forty (40) feet.
 - h. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
 - i. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
 - j. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
 - k. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.
- G. **Other regulations.** In addition to the above requirements, any development in the RS-40 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:
- 1. the general provisions of Article 12;
 - 2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
 - 3. the off-street parking provisions of Article 17.

§ 11.04. RS-24 SINGLE FAMILY RESIDENCE DISTRICT.

- A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RS-24 zone district:
- 1. single-family residential uses in detached single-family residential structures;
 - 2. public parks and playgrounds; and,
 - 3. community residences and shelters.

- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RS-24 zone district:
1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. home occupations as regulated in Article 14;
 4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
 5. antennas, as regulated in § 13.04; and,
 6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RS-24 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. limited child care homes;
 2. houses of worship;
 3. public and private non-profit schools;
 4. Board of Education administrative offices;
 5. non-profit chartered membership organizations;
 6. residential type public utility facilities; and,
 7. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RS-24 zone district.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RS-24 zone district:
1. Minimum lot area. Every lot shall contain a minimum lot area of twenty-four thousand (24,000) square feet.
 2. Minimum lot width. There shall be a minimum lot width of one hundred and twenty (120) feet, provided, however that the minimum lot width of corner lots shall be one hundred

and thirty (130) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least twenty-four thousand (24,000) square feet within two hundred (200) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least twenty-four thousand (24,000) square feet within one hundred and eighty-five (185) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**

3. Minimum lot frontage. There shall be a minimum lot frontage of one hundred and twenty (120) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be one hundred and thirty (130) feet. **[Amended 9-27-05 by Ord. No. 1856]**
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and sixty (160) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of fifty (50) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty-five (25) feet.
6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than fifteen (15) feet.
7. Minimum rear yard. There shall be a rear yard of at least fifty (50) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Other regulations.** In addition to the above requirements, any development in the RS-24 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.05. RS-16 SINGLE FAMILY RESIDENCE DISTRICT.

A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RS-16 zone district:

1. single-family residential uses in detached single-family residential structures;
2. public parks and playgrounds; and,
3. community residences and shelters.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RS-16 zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14;
4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
5. antennas, as regulated in § 13.04; and,
6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RS-16 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. assisted living facilities;
2. limited child care homes;

3. houses of worship;
4. public and private non-profit schools;
5. Board of Education administrative offices;
6. non-profit chartered membership organizations;
7. residential type public utility facilities; and,
8. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RS-16 zone district.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RS-16 zone district:

1. Minimum lot area. Every lot shall contain a minimum lot area of sixteen thousand (16,000) square feet.
2. Minimum lot width. There shall be a minimum lot width of ninety (90) feet, provided, however that the minimum lot width of corner lots shall be ninety-five (95) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least sixteen thousand (16,000) square feet within one hundred and seventy-eight (178) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least sixteen thousand (16,000) square feet within one hundred and sixty-nine (169) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**
3. Minimum lot frontage. There shall be a minimum lot frontage of ninety (90) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be ninety-five (95) feet. **[Amended 9-27-05 by Ord. No. 1856]**
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and forty (140) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than fifteen (15) feet.
7. Minimum rear yard. There shall be a rear yard of at least forty (40) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Supplemental regulations for assisted living facilities.** In addition to all other applicable requirements of this ordinance, the following regulations shall apply to assisted living facilities and shall supersede other requirements of this ordinance only in case of conflict. The following regulations shall not be construed to be conditional use requirements:

1. Minimum yards. There shall be a front, side and rear yards each not less than one hundred (100) feet.
2. Maximum building height. No principal building shall exceed thirty-eight (38) feet in height.
3. Maximum coverage by buildings and above grade structures. No more than fifteen percent (15%) of the area of any lot shall be covered by buildings and above grade structures; provided, however, that such coverage may be increased to seventeen percent (17%) when at least two percent (2%) of such coverage of the lot is by a deck or decks.

Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.

4. Maximum coverage by improvements. No more than thirty percent (30%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, swimming pools, etc. It is the intention

of this provision that each lot shall have at least seventy percent (70%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.

5. Minimum buffer area. There shall be provided parallel to all property lines a buffer at least fifty (50) feet in depth, measured perpendicular to the lot line. Within such buffer area, there shall be no buildings, parking or delivery areas or other improvements except for grading, landscaping, fencing or walls, underground utilities and only those driveways, sidewalks and related improvements necessary to provide access to the site. Detention basins are permitted within such buffer area, provided that the top of any slope or retaining wall for such basins shall be set back at least fifteen (15) feet from any property line in a residential zone district.

G. **Other regulations.** In addition to the above requirements, any development in the RS-16 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.06. RS-12 SINGLE FAMILY RESIDENCE DISTRICT.

A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RS-12 zone district:

1. single-family residential uses in detached single-family residential structures;
2. public parks and playgrounds; and,
3. community residences and shelters.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RS-12 zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;

3. home occupations as regulated in Article 14;
 4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
 5. antennas, as regulated in § 13.04; and,
 6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RS-12 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. limited child care homes;
 2. houses of worship;
 3. public and private non-profit schools;
 4. Board of Education administrative offices;
 5. non-profit chartered membership organizations;
 6. residential type public utility facilities; and,
 7. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RS-12 zone district.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RS-12 zone district:
1. Minimum lot area. Every lot shall contain a minimum lot area of twelve thousand (12,000) square feet.
 2. Minimum lot width. There shall be a minimum lot width of seventy-five (75) feet, provided, however that the minimum lot width of corner lots shall be eighty (80) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least twelve thousand (12,000) square feet within one hundred and sixty (160) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least twelve

thousand (12,000) square feet within one hundred and fifty (150) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**

3. Minimum lot frontage. There shall be a minimum lot frontage of seventy-five (75) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be eighty (80) feet. **[Amended 9-27-05 by Ord. No. 1856]**
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.
6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than fifteen (15) feet.
7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Other regulations**. In addition to the above requirements, any development in the RS-12 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;

2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.07. RS-10 SINGLE FAMILY RESIDENCE DISTRICT.

A. Principal uses and structures. The following principal uses and structures shall be permitted in the RS-10 zone district:

1. single-family residential uses in detached single-family residential structures;
2. public parks and playgrounds; and,
3. community residences and shelters.

B. Accessory uses and structures. The following accessory uses and structures shall be permitted in the RS-10 zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14;
4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
5. antennas, as regulated in § 13.04; and,
6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. Conditional uses and structures. The following conditional uses and structures shall be permitted in the RS-10 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. limited child care homes;
2. houses of worship;
3. public and private non-profit schools;
4. Board of Education administrative offices;
5. non-profit chartered membership organizations;
6. residential type public utility facilities; and,

7. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RS-10 zone district.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RS-10 zone district:
 1. Minimum lot area. Every lot shall contain a minimum lot area of ten thousand (10,000) square feet.
 2. Minimum lot width. There shall be a minimum lot width of seventy (70) feet, provided, however that the minimum lot width of corner lots shall be eighty (80) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least ten thousand (10,000) square feet within one hundred and forty-three (143) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least ten thousand (10,000) square feet within one hundred and twenty-five (125) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**
 3. Minimum lot frontage. There shall be a minimum lot frontage of seventy (70) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be eighty (80) feet. **[Amended 9-27-05 by Ord. No. 1856]**
 4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
 5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.
 6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than ten (10) feet.
 7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.
 8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of

basement, but not more than thirty-five (35) feet in height.
[Amended 10-25-05 by Ord. No. 1858]

9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
 10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
 11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.
- F. **Other regulations.** In addition to the above requirements, any development in the RS-10 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:
1. the general provisions of Article 12;
 2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
 3. the off-street parking provisions of Article 17.

§ 11.08. RS-8 SINGLE FAMILY RESIDENCE DISTRICT.

- A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RS-8 zone district:
1. single-family residential uses in detached single-family residential structures;
 2. public parks and playgrounds; and,
 3. community residences and shelters.
- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RS-8 zone:
1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. home occupations as regulated in Article 14;
 4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
 5. antennas, as regulated in § 13.04; and,

6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RS-8 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. limited child care homes;
2. houses of worship;
3. public and private non-profit schools;
4. Board of Education administrative offices;
5. non-profit chartered membership organizations;
6. residential type public utility facilities; and,
7. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RS-8 zone district.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RS-8 zone district:

1. Minimum lot area. Every lot shall contain a minimum lot area of eight thousand (8,000) square feet, provided, however that the minimum lot area of corner lots shall be eight thousand four hundred (8,400) square feet. **[Amended 9-27-05 by Ord. No. 1856]**
2. Minimum lot width. There shall be a minimum lot width of sixty (60) feet, provided, however that the minimum lot width of corner lots shall be seventy (70) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least eight thousand (8,000) square feet within one hundred and thirty-four (134) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least eight thousand four hundred (8,400) square feet within one hundred and twenty (120) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**

3. Minimum lot frontage. There shall be a minimum lot frontage of sixty (60) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be seventy (70) feet. **[Amended 9-27-05 by Ord. No. 1856]**
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.
6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than ten (10) feet.
7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Other regulations.** In addition to the above requirements, any development in the RS-8 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.09. RS-6 SINGLE FAMILY RESIDENCE DISTRICT.

- A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RS-6 zone district:
1. single-family residential uses in detached single-family residential structures;
 2. public parks and playgrounds; and,
 3. community residences and shelters.
- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RS-6 zone:
1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. home occupations as regulated in Article 14;
 4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
 5. antennas, as regulated in § 13.04; and,
 6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RS-6 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. limited child care homes;
 2. houses of worship;
 3. public and private non-profit schools;
 4. Board of Education administrative offices;
 5. non-profit chartered membership organizations;
 6. residential type public utility facilities; and,
 7. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RS-6 zone district.

- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RS-6 zone district:
1. Minimum lot area. Every lot shall contain a minimum lot area of six thousand (6,000) square feet, provided, however that the minimum lot area of corner lots shall be seven thousand two hundred (7,200) square feet. **[Amended 9-27-05 by Ord. No. 1856]**
 2. Minimum lot width. There shall be a minimum lot width of fifty (50) feet, provided, however that the minimum lot width of corner lots shall be sixty (60) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least six thousand (6,000) square feet within one hundred and twenty (120) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least seven thousand two hundred (7,200) square feet within one hundred and twenty (120) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**
 3. Minimum lot frontage. There shall be a minimum lot frontage of fifty (50) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be sixty (60) feet. **[Amended 9-27-05 by Ord. No. 1856]**
 4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
 5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.
 6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than ten (10) feet.
 7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.

8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Other regulations.** In addition to the above requirements, any development in the RS-6 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.10. RM-12 SINGLE FAMILY AND TWO FAMILY RESIDENCE DISTRICT.

A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RM-12 zone district:

1. single-family residential uses in detached single-family residential structures;
2. Two-family residential uses in a single structure on the same lot;
3. public parks and playgrounds; and,
4. community residences and shelters.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RM-12 zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14;

4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
 5. antennas, as regulated in § 13.04; and,
 6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RM-12 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. non-profit chartered membership organizations;
 2. residential type public utility facilities; and,
 3. certain cellular telecommunications antennas as set forth in Article 18.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RM-12 zone district:
1. Minimum lot area. Every lot shall contain a minimum lot area of twelve thousand (12,000) square feet, provided, however that the minimum lot area of corner lots shall be twelve thousand three hundred and sixty (12,360) square feet. **[Amended 9-27-05 by Ord. No. 1856]**
 2. Minimum lot width. Every lot shall have a minimum lot width of seventy-five (75) feet, provided, however that the minimum lot width of corner lots shall be one hundred and three (103) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least twelve thousand (12,000) square feet within one hundred and sixty (160) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least twelve thousand three hundred and sixty (12,360) square feet within one hundred and twenty (120) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**
 3. Minimum lot frontage. There shall be a minimum lot frontage of seventy-five (75) feet for all lots, provided, however

that the minimum lot frontage of corner lots shall be one hundred and three (103) feet. **[Amended 9-27-05 by Ord. No. 1856]**

4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard and street side yard shall both be as established above for front yards of interior lots.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than twelve (12) feet.
7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Other regulations.** In addition to the above requirements, any development in the RM-12 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.11. RM-8 SINGLE FAMILY AND TWO FAMILY RESIDENCE DISTRICT.

A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RM-8 zone district:

1. single-family residential uses in detached single-family residential structures;
2. two-family residential uses in a single structure on the same lot;
3. public parks and playgrounds; and,
4. community residences and shelters.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RM-8 zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14;
4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
5. antennas, as regulated in § 13.04; and,
6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RM-8 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. houses of worship;
2. public and private non-profit schools;
3. Board of Education administrative offices;
4. non-profit chartered membership organizations;
5. residential type public utility facilities; and,
6. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RM-8 zone district:

1. Minimum lot area. Every lot shall contain a minimum lot area of eight thousand (8,000) square feet, provided, however that the minimum lot area of corner lots shall be eight thousand four hundred (8,400) square feet. **[Amended 9-27-05 by Ord. No. 1856]**
2. Minimum lot width. Every lot shall have a minimum lot width of sixty (60) feet, provided, however that the minimum lot width of corner lots shall be seventy (70) feet. In addition, the minimum average width of the lot shall be such that there is a minimum lot area of at least eight thousand (8,000) square feet within one hundred and thirty-four (134) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least eight thousand four hundred (8,400) square feet within one hundred and twenty (120) feet of the front lot line. **[Amended 9-27-05 by Ord. No. 1856]**
3. Minimum lot frontage. There shall be a minimum lot frontage of sixty (60) feet for all lots, provided, however that the minimum lot frontage of corner lots shall be seventy (70) feet. **[Amended 9-27-05 by Ord. No. 1856]**
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall be not less than twenty (20) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than ten (10) feet.
7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.

8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
 9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
 10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
 11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.
- F. **Other regulations.** In addition to the above requirements, any development in the RM-8 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:
1. the general provisions of Article 12;
 2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
 3. the off-street parking provisions of Article 17.
- § 11.12. RM-6 SINGLE FAMILY AND TWO FAMILY RESIDENCE DISTRICT.**
- A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RM-6 zone district:
1. single-family residential uses in detached single-family residential structures;
 2. two-family residential uses in a single structure on the same lot;
 3. public parks and playgrounds; and,
 4. community residences and shelters.
- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RM-6 zone:
1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. home occupations as regulated in Article 14;

4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
5. antennas, as regulated in § 13.04; and,
6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RM-6 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. houses of worship;
2. non-profit chartered membership organizations;
3. residential type public utility facilities; and,
4. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RM-6 zone district:

1. Minimum lot area. [Amended 9-27-05 by Ord. No. 1856]
 - a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot containing a minimum area of six thousand (6,000) square feet, provided, however that the minimum lot area of corner lots shall be seven thousand two hundred (7,200) square feet.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot containing a minimum area of eight thousand (8,000) square feet, provided, however that the minimum lot area of corner lots shall be eight thousand four hundred (8,400) square feet.
2. Minimum lot width. [Amended 9-27-05 by Ord. No. 1856]
 - a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot having a minimum width of fifty (50) feet, provided, however that the minimum lot width of corner lots shall be

sixty (60) feet. In addition, on lots containing a single family detached dwelling, the minimum average width of the lot shall be such that there is a minimum lot area of at least six thousand (6,000) square feet within one hundred and twenty (120) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least seven thousand two hundred (7,200) square feet within one hundred and twenty (120) feet of the front lot line.

- b. Two family dwellings. Each two family dwelling shall be located on a lot having a minimum width of sixty (60) feet, provided, however that the minimum lot width of corner lots shall be seventy (70) feet. In addition, on lots containing a two family dwelling, the average width of the lot shall be such that there is a minimum lot area of at least eight thousand (8,000) square feet within one hundred and thirty-four (134) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least eight thousand four hundred (8,400) square feet within one hundred and twenty (120) feet of the front lot line.
3. Minimum lot frontage. **[Amended 9-27-05 by Ord. No. 1856]**
- a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot with a minimum frontage of fifty (50) feet, provided, however that the minimum lot frontage of corner lots shall be sixty (60) feet.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot with a minimum frontage of sixty (60) feet, provided, however that the minimum lot frontage of corner lots shall be seventy (70) feet.
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall be not less than twenty (20) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than ten (10) feet.
7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Other regulations.** In addition to the above requirements, any development in the RM-6 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.13. RM-6D SINGLE FAMILY AND TWO FAMILY RESIDENCE DISTRICT.

A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RM-6D zone district:

1. single-family residential uses in detached single-family residential structures;
2. two-family residential uses in a single structure on the same lot;
3. single-family residential uses in attached single-family residential structures sharing a common vertical wall, also known as duplexes, containing two separate dwelling units on separate lots;
4. public parks and playgrounds; and,
5. community residences and shelters.

- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RM-6D zone:
1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. home occupations as regulated in Article 14;
 4. family day care homes as defined in Article 2 and as regulated in N.J.S.A. 40:55D-66.5b.;
 5. antennas, as regulated in § 13.04; and,
 6. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RM-6D district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. non-profit chartered membership organizations;
 2. residential type public utility facilities; and,
 3. certain cellular telecommunications antennas as set forth in Article 18.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RM-6D zone district:
1. Minimum lot area. [Amended 9-27-05 by Ord. No. 1856]
 - a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot containing a minimum area of six thousand (6,000) square feet, provided, however that the minimum lot area of corner lots shall be seven thousand two hundred (7,200) square feet.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot containing a minimum area of eight thousand (8,000) square feet, provided, however that the minimum lot area of corner lots shall be eight thousand four hundred (8,400) square feet.

- c. Single family attached dwellings. Each single family attached dwelling shall be located on a lot containing a minimum area of four thousand (4,000) square feet, provided, however that the minimum lot area of corner lots shall be four thousand eight hundred (4,800) square feet.
2. Minimum lot width. **[Amended 9-27-05 by Ord. No. 1856]**
- a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot having a minimum width of fifty (50) feet, provided, however that the minimum lot width of corner lots shall be sixty (60) feet. In addition, on lots containing a single family detached dwelling, the minimum average width of the lot shall be such that there is a minimum lot area of at least six thousand (6,000) square feet within one hundred and twenty (120) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least seven thousand two hundred (7,200) square feet within one hundred and twenty (120) feet of the front lot line.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot having a minimum width of sixty (60) feet, provided, however that the minimum lot width of corner lots shall be seventy (70) feet. In addition, on lots containing a two family dwelling, the minimum average width of the lot shall be such that there is a minimum lot area of at least eight thousand (8,000) square feet within one hundred and thirty-four (134) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least eight thousand four hundred (8,400) square feet within one hundred and twenty (120) feet of the front lot line.
 - c. Single family attached dwellings. Each single family attached dwelling shall be located on a lot having a minimum width of thirty (30) feet, provided, however that the minimum lot width of corner lots shall be forty (40) feet. In addition, on lots containing a single family attached dwelling, the minimum average width of the lot shall be such that there is a minimum lot area of at least four thousand (4,000) square feet within one hundred and thirty-four (134) feet of the front lot line, provided, however that the minimum average lot width of corner lots shall be such that there is a minimum lot area of at least four thousand

eight hundred (4,800) square feet within one hundred and twenty (120) feet of the front lot line.

3. Minimum lot frontage. **[Amended 9-27-05 by Ord. No. 1856]**
 - a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot with a minimum frontage of fifty (50) feet, provided, however that the minimum lot frontage of corner lots shall be sixty (60) feet.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot with a minimum frontage of sixty (60) feet, provided, however that the minimum lot frontage of corner lots shall be seventy (70) feet.
 - c. Single family attached dwellings. Each single family attached dwelling shall be located on a lot with a minimum frontage of thirty (30) feet, provided, however that the minimum lot frontage of corner lots shall be forty (40) feet.
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall be not less than twenty (20) feet.
6. Minimum side yard. Except as provided above for corner lots, the following side yard requirements shall apply:
 - a. Single family detached dwellings and two family dwellings. There shall be two (2) side yards and no side yard shall be less than ten (10) feet.
 - b. Single family attached dwellings. No side yard shall be required along the common vertical wall between two dwellings. The other side yard shall be no less than ten (10) feet.
7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.

8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-five (35) feet in height. **[Amended 10-25-05 by Ord. No. 1858]**
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

F. **Other regulations.** In addition to the above requirements, any development in the RM-6D zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.14. RA-1 HOUSING FOR ELDERLY MULTI-FAMILY RESIDENCE DISTRICT.

A. **Principal uses and structures.** Housing for the elderly as defined in Article 2 within a multi-family residential structure shall be permitted as a principal use in the RA-1 zone district.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RA-1 zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14; excluding family day care homes in multi-family residential structures used as housing for the elderly;
4. antennas, as regulated in § 13.04; and,
5. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses. For the purposes of administering this provision, decks, patios, and

recreational facilities such as swimming pools, tennis courts, racquetball courts, exercise facilities, meeting rooms, community house, game rooms, etc., shall not be considered to be a use customarily incidental to housing for the elderly.

- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RA-1 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. residential type public utility facilities; and,
2. certain cellular telecommunications antennas as set forth in Article 18.

- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.

- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RA-1 zone district:

1. Minimum lot area. There shall be a minimum lot area of one (1) acre (43,560 square feet).
2. Minimum front yard. For interior lots, there shall be a front yard of not less than fifty (50) feet. For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty-five (25) feet.
3. Minimum side yard and rear yard. Except as provided above for corner lots, no building containing dwelling units shall be closer to any side or rear property line than thirty (30) feet. Notwithstanding this requirement, when the side yard in the RA-1 zone abuts the side yard of any residential zone, the minimum side yard in the RA-1 zone shall be equal to one (1) foot for every foot of height of the building in the RA-1 zone, but not less than thirty (30) feet.
4. Maximum density. There shall be a maximum density of one dwelling unit for each 4,356 square feet of lot area, or ten (10) dwelling units for each acre.
5. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not more than thirty (30) feet in height.

6. Minimum distance between buildings. There shall be provided between buildings containing dwelling units a minimum distance of thirty (30) feet.
7. Maximum coverage by buildings and above grade structures. No more than seventeen percent (17%) of the area of any lot shall be covered by buildings and above grade structures; provided, however, that such coverage may be increased to nineteen percent (19%) when at least two percent (2%) of such coverage of the lot is by a deck or decks. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
8. Maximum coverage by improvements. No more than fifty percent (50%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, swimming pools, etc. It is the intention of this provision that each lot shall have at least fifty percent (50%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.
9. Maximum dwelling units per building. No building shall contain more than four (4) dwelling units.
10. Minimum floor area per dwelling unit. Every housing for the elderly building shall contain a minimum habitable floor area per dwelling unit that complies with the following schedule:

Number of Rooms*	Minimum Habitable Floor Area
1	600 square feet
2	750 square feet
3	900 square feet
4 or more	1,050 square feet

* exclusive of main living room, kitchen, dinette or dining room where permitted, bathrooms and closets.

11. Minimum number of bedrooms. Each dwelling unit shall contain at least one (1) bedroom.

F. **Other regulations.** In addition to the above requirements, any development in the RA-1 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. Compatible architecture. The design of accessory buildings and structures, including the nature of building materials used, shall be substantially the same as used in the construction of principal buildings on the same site designed to be used as housing for the elderly.
2. Screening. Any premises in the RA-1 zone that is used for housing for the elderly shall be effectively screened on any side which abuts any premises that is used exclusively as a single family detached or two family dwelling. The required screening shall meet the conditions imposed by the Planning Board for this purpose.
3. The general provisions of Article 12 shall be met.
4. The off-street parking provisions of Article 17 shall be met.

§ 11.15. RA-2 GARDEN APARTMENT RESIDENCE DISTRICT.

- A. **Principal uses and structures.** Garden apartments as defined in Article 2 shall be permitted as a principal use and structure in the RA-2 zone district.
- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RA-2 zone:
 1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. home occupations as regulated in Article 14, excluding family day care homes in garden apartments;
 4. antennas, as regulated in § 13.04; and,
 5. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses. For the purposes of administering this provision, decks and patios shall not be considered to be a use customarily incidental to a garden apartment.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RA-2 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
 1. residential type public utility facilities; and,

2. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RA-2 zone district:

1. Minimum lot area. There shall be a minimum lot area of two (2) acres (87,120 square feet).
2. Minimum lot width. There shall be a minimum lot width of two hundred (200) feet.
3. Minimum front yard. For interior lots, there shall be a front yard of not less than fifty (50) feet. For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty-five (25) feet.
4. Minimum side yard and rear yard. Except as provided above for corner lots, no building containing dwelling units shall be closer to any side or rear property line than thirty (30) feet. Notwithstanding this requirement, when the side yard in the RA-2 zone abuts the side yard of any residential zone, the minimum side yard in the RA-2 zone shall be equal to one (1) foot for every foot of height of the building in the RA-2 zone, but not less than thirty (30) feet.
5. Maximum density. There shall be a maximum density of thirteen (13) dwelling units for each acre of lot area.
6. Maximum rooms per acre. There shall not be more than twenty (20) rooms per acre, exclusive of main living rooms, kitchens, dinettes, bathrooms and closets.
7. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not more than thirty (30) feet in height. No accessory building shall exceed one (1) story in height.
8. Minimum distance between buildings. There shall be provided between buildings containing dwelling units a minimum distance of thirty (30) feet. In any "U" shaped building or group of attached buildings forming a "U" shape, the open court across the "U" shall not be less than sixty (60) feet, and said court shall not contain any accessory building.

9. Maximum coverage by buildings and above grade structures. No more than seventeen percent (17%) of the area of any lot shall be covered by buildings and above grade structures; provided, however, that such coverage may be increased to nineteen percent (19%) when at least two percent (2%) of such coverage of the lot is by a deck or decks. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
10. Maximum coverage by improvements. No more than fifty percent (50%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, swimming pools, etc. It is the intention of this provision that each lot shall have at least fifty percent (50%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.
11. Maximum dwelling units per building. No building shall contain more than twelve (12) dwelling units.
12. Minimum floor area per dwelling unit. Every building shall contain a minimum habitable floor area per dwelling unit that complies with the following schedule:

Number of Rooms*	Minimum Habitable Floor Area
1	600 square feet
2	750 square feet
3	900 square feet
4 or more	1,050 square feet

* exclusive of main living room, kitchen, dinette or dining room where permitted, bathrooms and closets.
13. Minimum number of bedrooms. Each dwelling unit shall contain at least one (1) bedroom.
14. Maximum continuous wall length. The longest dimension of any continuous exterior wall of any building shall not be greater than fifty (50) feet. For the purpose of administering this provision, any exterior wall that is offset for a depth of four (4) feet or greater shall be construed as a separate wall.

F. **Other regulations.** In addition to the above requirements, any development in the RA-2 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. Compatible architecture. The design of accessory buildings and structures, including the nature of building materials used, shall be substantially the same as used in the construction of principal buildings on the same site designed to be used for garden apartments.
2. Use of accessory buildings, basements and attics. No part of any accessory building or structure shall be used for living purposes. No portion of any building or structure below the first floor or above the second floor shall be used for dwelling purposes, except that one (1) basement dwelling unit may be provided for on the lot and occupied by a janitor or superintendent employed upon the premises.
3. Screening. Any premises in the RA-2 zone that is used for garden apartments shall be effectively screened on any side which abuts any premises that is used exclusively as a single family detached or two family dwelling. The required screening shall meet the conditions imposed by the Planning Board for this purpose.
4. The general provisions of Article 12 shall be met.
5. The off-street parking provisions of Article 17 shall be met.

§ 11.16. RA-3 GARDEN APARTMENT RESIDENCE DISTRICT.

A. **Principal uses and structures.** [Amended 5-11-1999 by Ord. No. 1734] The following principal uses and structures shall be permitted in the RA-3 zone district:

1. garden apartments as defined in Article 2;
2. single-family residential uses in detached single-family residential structures;
3. two-family residential uses in a single structure on the same lot;
4. public parks and playgrounds; and,
5. multi-family residences as defined in Article 2, limited to the following ownership types:
 - a. fee simple ownership of individual units;

- b. condominium ownership; or,
 - c. cooperative ownership.
- B. **Accessory uses and structures** The following accessory uses and structures shall be permitted in the RA-3 zone:
 - 1. parking and parking facilities as regulated in Article 17;
 - 2. signs as regulated in Article 16;
 - 3. home occupations as regulated in Article 14, excluding family day care homes in garden apartments;
 - 4. antennas, as regulated in § 13.04; and,
 - 5. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses. For the purposes of administering this provision, recreational facilities such as swimming pools, tennis courts, racquetball courts, exercise facilities, meeting rooms, community house, game rooms, etc., shall not be considered to be a use customarily incidental to a garden apartment or other multi-family residence. **[Amended 5-11-1999 by Ord. No. 1734]**
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RA-3 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
 - 1. residential type public utility facilities; and,
 - 2. certain cellular telecommunications antennas as set forth in Article 18.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations for garden apartments and other multi-family residences. [Amended 5-11-1999 by Ord. No. 1734]** The following bulk and lot regulations shall apply to all garden apartments and other multi-family residences within the RA-3 zone district:
 - 1. Minimum lot area. There shall be a minimum lot area of fifteen thousand (15,000) square feet.
 - 2. Minimum lot width. There shall be a minimum lot width of one hundred (100) feet.

3. Minimum front yard. For interior lots, there shall be a front yard of not less than forty (40) feet. For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.
4. Minimum side yard and rear yard. Except as provided above for corner lots, no building containing dwelling units shall be closer to any side or rear property line than thirty (30) feet. Notwithstanding this requirement, when the side yard in the RA-3 zone abuts the side yard of any residential zone, the minimum side yard in the RA-3 zone shall be equal to one (1) foot for every foot of height of the building in the RA-3 zone, but not less than thirty (30) feet.
5. Maximum density. There shall be a maximum density of twenty-five (25) dwelling units for each acre of lot area within the RA-3 district.
6. Maximum rooms per acre. There shall not be more than fifty (50) rooms per acre, exclusive of main living rooms, kitchens, dinettes, bathrooms and closets.
7. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not more than thirty-eight (38) feet in height. No accessory building shall exceed one (1) story in height.
8. Minimum distance between buildings. There shall be provided between buildings containing dwelling units a minimum distance of thirty (30) feet. In any "U" shaped building or group of attached buildings forming a "U" shape, the open court across the "U" shall not be less than sixty (60) feet, and said court shall not contain any accessory building.
9. Maximum coverage by buildings and above grade structures. No more than twenty-five percent (25%) of the area of any lot shall be covered by buildings and above grade structures; provided, however, that such coverage may be increased to twenty-seven percent (27%) when at least two percent (2%) of such coverage of the lot is by a deck or decks. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
10. Maximum coverage by improvements. No more than fifty percent (50%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas,

patios, driveways, swimming pools, etc. It is the intention of this provision that each lot shall have at least fifty percent (50%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.

11. Maximum dwelling units per building. No building shall contain more than sixteen (16) dwelling units. For purposes of administering this section, where buildings containing dwelling units are connected by an accessory structure which does not contain dwelling units, each building containing dwelling units shall be considered a separate building.
12. Minimum floor area per dwelling unit. Every building shall contain a minimum habitable floor area per dwelling unit that complies with the following schedule:

Number of Rooms*	Minimum Habitable Floor Area
1	600 square feet
2	750 square feet
3	900 square feet
4 or more	1,050 square feet

* exclusive of main living room, kitchen, dinette or dining room where permitted, bathrooms and closets.

13. Minimum number of bedrooms. Each dwelling unit shall contain at least one (1) bedroom.
14. Maximum continuous wall length. The longest dimension of any continuous exterior wall of any building shall not be greater than fifty (50) feet. For the purpose of administering this provision, any exterior wall that is offset for a depth of four (4) feet or greater shall be construed as a separate wall.

F. Other regulations applicable to garden apartments and other multi-family residences. [Amended 5-11-1999 by Ord. No. 1734] In addition to the above bulk and lot regulations, the following regulations shall apply to garden apartment and other multi-family residence developments:

1. Compatible architecture. The design of accessory buildings and structures, including the nature of building materials used, shall be substantially the same as used in the construction of principal buildings on the same site designed to be used for garden apartments or other multi-family residences.

2. Use of accessory buildings, basements and attics. No part of any accessory building or structure shall be used for living purposes. No portion of any building or structure below the first floor or above the second floor shall be used for dwelling purposes, except that one (1) basement single-family dwelling unit may be provided for on the lot and occupied by a janitor or superintendent employed upon the premises.
3. Screening. Any premises in the RA-3 zone that is used for garden apartments or other multi-family residences shall be effectively screened on any side which abuts any premises that is used exclusively as a single family detached or two family dwelling. The required screening shall meet the conditions imposed by the Planning Board for this purpose.

G. **Bulk and lot regulations for single family detached and two family dwellings.** The following bulk and lot regulations shall apply to single family detached dwellings and two family dwellings in the RA-3 zone district:

1. Minimum lot area.
 - a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot containing a minimum area of six thousand (6,000) square feet.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot containing a minimum area of eight thousand (8,000) square feet.
2. Minimum lot width.
 - a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot with a minimum width of fifty (50) feet. In addition, on lots containing a single family detached dwelling, the average width of the lot shall be such that there is a minimum lot area of at least six thousand (6,000) square feet within one hundred and twenty (120) feet of the front street sideline.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot with a minimum width of sixty (60) feet. In addition, on lots containing a two family dwelling, the average width of the lot shall be such that there is a minimum lot area of at least eight thousand (8,000) square feet within one hundred and thirty-four (134) feet of the front street sideline.

3. Minimum lot frontage.
 - a. Single family detached dwellings. Each single family detached dwelling shall be located on a lot with a minimum frontage of fifty (50) feet.
 - b. Two family dwellings. Each two family dwelling shall be located on a lot with a minimum frontage of sixty (60) feet, except that lots which front entirely on the outer curve of a curved street or which front entirely on a cul-de-sac turnaround shall have a minimum lot frontage of fifty (50) feet.
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet.
6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than ten (10) feet.
7. Minimum rear yard. There shall be a rear yard of at least thirty-five (35) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-eight (38) feet in height.
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

H. **Other regulations.** In addition to the above requirements, any development in the RA-3 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;

2. the architectural design provisions of § 12.11B (new developments containing at least two (2) new single family detached dwellings); and,
3. the off-street parking provisions of Article 17.

§ 11.17. RA-4 SENIOR CITIZENS HOUSING RESIDENCE DISTRICT.

- A. **Principal uses and structures.** Senior citizens housing for persons of low and moderate incomes shall be permitted as a principal use and structure in the RA-4 zone district. Said permitted housing is limited to development under a limited dividend or non-profit housing corporation sponsorship and financed under State and/or Federal housing programs.
- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RA-4 zone:
 1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. antennas, as regulated in § 13.04; and,
 4. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses. For the purposes of administering this provision, recreational facilities such as swimming pools, tennis courts and racquetball courts shall not be considered to be a use customarily incidental to senior citizens housing.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RA-4 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
 1. residential type public utility facilities;
 2. certain cellular telecommunications antennas as set forth in Article 18; and,
 3. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RA-4 zone district.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the RA-4 zone district:

1. Minimum lot area. There shall be a minimum lot area of five (5) acres.
2. Minimum front yard. For interior lots, there shall be a front yard of not less than seventy-five (75) feet. For corner lots, the required front yard shall be as established above for interior lots, and the required street side yard shall not be less than thirty-eight (38) feet.
3. Minimum side yard and rear yard. Except as provided above for corner lots, no building shall be closer to a side or rear property line or zone district boundary line than one hundred (100) feet.
4. Maximum density. There shall be a maximum density of sixteen (16) dwelling units for each acre of lot area.
5. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than forty (40) feet in height. Specifically excluded from this height limitation is architectural ornamentation such as, but not limited to, cupolas and balustrades; provided no such architectural ornamentation shall exceed ten (10) feet in height above the building as measured without such ornamentation.

No accessory building shall exceed one (1) story in height.

6. Maximum building coverage. No more than twenty-five percent (25%) of the area of any lot shall be covered by above grade buildings and/or structures. Flood detention basins, decks and patios as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
7. Maximum coverage by improvements. No more than fifty percent (50%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, swimming pools, etc. It is the intention of this provision that each lot shall have at least fifty percent (50%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.

8. Minimum floor area per dwelling unit. Every housing for the elderly building shall contain a minimum habitable floor area per dwelling unit that complies with the following schedule:

Number of rooms*	Minimum Habitable Floor Area
0 (efficiency)	400 square feet
1	550 square feet
2	700 square feet

* exclusive of main living room, kitchen, dinette or dining room where permitted, bathrooms and closets.

F. Affordable housing regulations.

1. Affordability controls. Affordability controls relating to low and moderate income housing shall be consistent with rules and regulations established by the New Jersey Council on Affordable Housing. The administration of such affordability controls, including occupancy selection, determination of eligibility, establishment of rents and other related matters shall be performed by an agent or agency appointed by the governing body as otherwise provided by ordinance.
2. Occupancy requirements. To the extent consistent with law and regulations of the New Jersey Council on Affordable Housing, the New Jersey Mortgage Finance Housing Agency and the Federal Housing and Urban Development Agency, occupancy shall be for senior citizens as therein defined who are residents of the Town of Westfield.

G. Other regulations applicable to senior citizens housing.

1. Compatible architecture. The design of accessory buildings and structures, including the nature of building materials used, shall be substantially the same as used in the construction of principal buildings on the same site designed to be used for senior citizens housing.
2. Use of accessory buildings, basements and attics. No part of any accessory building or structure, basement or attic shall be used for living purposes.
3. Screening. Any premises in the RA-4 zone that is used for senior citizens housing shall be effectively screened on any side which abuts any premises that is used exclusively as a single family detached or two family dwelling. The

required screening shall meet the conditions imposed by the Planning Board for this purpose.

- H. **Other regulations.** In addition to the above requirements, any development in the RA-4 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12; and,
2. the off-street parking provisions of Article 17.

§ 11.18. RA-5A MULTI-FAMILY RESIDENCE DISTRICT.

- A. **Principal uses and structures.** The following principal uses and structures shall be permitted in the RA-5A zone district:

1. multi-family residences as defined in Article 2, limited to the following ownership types:
 - a. fee simple ownership of individual units;
 - b. condominium ownership; or,
 - c. cooperative ownership;
2. single-family residential uses in attached single-family residential structures, also known as townhouses; and,
3. retail garden centers and plant nurseries, with a residence on the upper floor of the principal structure.

- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the RA-5A zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. antennas, as regulated in § 13.04; and,
4. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the RA-5A district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. residential type public utility facilities;

2. certain cellular telecommunications antennas as set forth in Article 18; and,
 3. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RA-5A zone district.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all developments within the RA-5A zone district:
1. Minimum tract area. There shall be a minimum tract area of five (5) acres.
 2. Minimum front yard. For interior lots, there shall be a front yard of not less than forty (40) feet. For corner lots, the required front yard shall be as established above for interior lots. The required street side yard shall not be less than twenty (20) feet, except when the street side yard abuts a County road, the street side yard shall not be less than forty (40) feet.
 3. Minimum side yard and rear yard. Except as provided above for corner lots, no building containing dwelling units shall be closer to any side or rear property line than thirty (30) feet. Notwithstanding this requirement, when the side yard in the RA-5A zone abuts the side yard of any residential zone, the minimum side yard in the RA-5A zone shall be equal to one (1) foot for every foot of height of the building in the RA-5A zone, but not less than thirty (30) feet.
 4. Maximum density. There shall be a maximum density of eight (8) dwelling units for each acre of lot or tract area.
 5. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not more than thirty-eight (38) feet in height. No accessory building shall exceed one (1) story in height.
 6. Minimum distance between buildings. Between buildings containing dwelling units, the following minimum distances shall apply:
 - a. End wall to end wall: thirty (30) feet.
 - b. End wall to front wall, or end wall to rear wall: forty-five (45) feet.

- c. Front wall to front wall, front wall to rear wall, or rear wall to rear wall: sixty (60) feet.
 - d. "U" shaped buildings or a group of attached buildings forming a "U" shape: the open court across the "U" shall not be less than sixty (60) feet, and said court shall not contain any accessory building.
- 7. Maximum coverage by buildings and above grade structures. No more than twenty-five percent (25%) of the area of any lot shall be covered by buildings and above grade structures; provided, however, that such coverage may be increased to twenty-seven percent (27%) when at least two percent (2%) of such coverage of the lot is by a deck or decks. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
 - 8. Maximum coverage by improvements. No more than fifty percent (50%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, swimming pools, etc. It is the intention of this provision that each lot shall have at least fifty percent (50%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.
 - 9. Maximum dwelling units per building. No townhouse building shall contain more than six (6) dwelling units. No multi-family residential building shall contain more than ten (10) dwelling units. For purposes of administering this section, where buildings containing dwelling units are connected by an accessory structure which does not contain dwelling units, each building containing dwelling units shall be considered a separate building.
 - 10. Maximum continuous wall length. The longest dimension of any continuous exterior wall of any building shall not be greater than fifty (50) feet. For the purpose of administering this provision, any exterior wall that is offset for a depth of four (4) feet or greater shall be construed as a separate wall.
- F. **Affordable housing regulations.** The following regulations shall apply to all developments which provide for affordable housing within the RA-5A zone district:

1. Total number of affordable units. Any development for multi-family residences or single-family attached residences shall be required to make at least twenty percent (20%) of the total number of dwelling units affordable and sold to low and moderate income households.
2. Integration of affordable and market rate units. All developments which provide for affordable housing shall be designed to integrate the affordable housing units with the market units within the development.
3. Phasing of affordable units. All developments which provide for affordable housing shall be required to construct the affordable dwelling units in accordance with the following schedule:

<u>Percentage of Market Rate Units Completed</u>	<u>Minimum Percentage of Low and Moderate Income Housing Units Completed</u>
25%	0%
25%, plus 1 unit	10%
50%	50%
75%	75%
90%	100%

For purposes of administering this phasing schedule, no certificates of occupancy may be issued for market rate housing units in excess of the specified percentages until at least the specified percentages of low and moderate income units have been constructed and sold to low and moderate income households.

4. Bedroom distribution. All developments which provide for affordable housing shall be structured in conjunction with realistic market demands so that in regard to the affordable units:
 - a. the combination of efficiency and one (1) bedroom units is at least ten percent (10%) and no greater than twenty percent (20%) of the total number of affordable dwelling units;
 - b. at least thirty percent (30%) of all affordable dwelling units are two (2) bedroom units; and
 - c. at least twenty percent (20%) of all affordable dwelling units are three (3) bedroom units.

5. Distribution of low and moderate income units. Of the total number of affordable dwelling units, one-half ($\frac{1}{2}$) shall be made affordable and sold to low income households, and one-half ($\frac{1}{2}$) shall be made affordable and sold to moderate income households. If the total number of affordable dwelling units is not an even number, there shall be one (1) more low income unit than the number of moderate income units.
6. Determination of eligible household incomes for low and moderate income units. In determining the eligible household incomes for low and moderate income housing units, the following shall apply:
 - a. Low income housing units shall be reserved for households with a gross household income less than or equal to fifty percent (50%) of the median income approved by the Council on Affordable Housing.
 - b. Moderate income housing units shall be reserved for households with a gross household income less than eighty percent (80%) of the median income approved by the Council on Affordable Housing. A household earning less than fifty percent (50%) of median may be placed in a moderate income housing unit.
7. Determination of sale prices; number of bedrooms/household size. The following criteria, in conjunction with realistic market information, shall be used determining sale prices. If there is an odd number of units in any bedroom distribution, the following criteria shall be followed as closely as possible, recognizing that an equal number of units can not be made affordable to two different household sizes in such event:
 - a. Efficiency units shall be affordable to one (1) person households.
 - b. One-half ($\frac{1}{2}$) of all one (1) bedroom units shall be affordable to one (1) person households; and one-half ($\frac{1}{2}$) of all one (1) bedroom units shall be affordable to two (2) person households.
 - c. One-half ($\frac{1}{2}$) of all two (2) bedroom units shall be affordable to two (2) person households; and one-half ($\frac{1}{2}$) of all two (2) bedroom units shall be affordable to three (3) person households.
 - d. One-half ($\frac{1}{2}$) of all three (3) bedroom units shall be affordable to four (4) person households and one-half ($\frac{1}{2}$) of all three (3) bedroom units shall be affordable to five (5) person households.

8. Minimum number of low income units in each bedroom distribution. At least one-third (1/3) of all units in each bedroom distribution shall be affordable to low income households.
9. Determination of sale prices; maximum average price. All developments which provide for affordable housing shall be required to ensure that the average price of affordable dwelling units be affordable to households earning no more than fifty-seven and one half percent (57.5%) of the median income approved by the Council on Affordable Housing.
10. Determination of sale prices; price stratification. In averaging the price of affordable units as required by paragraph 9 above, the prices of units shall be stratified so that to the maximum extent possible, considering the number of affordable units in each bedroom distribution, the moderate income sales units in each bedroom distribution shall be available for at least three (3) different prices and the low income sales units in each bedroom distribution shall be available for at least two (2) different prices.
11. Determination of sale prices; maximum initial sales price. The initial sales price of a low and moderate income owner-occupied single family housing unit shall be established so that after a downpayment of five percent (5%), the monthly principal, interest, insurance, property taxes (property taxes shall be based on the restricted value of low and moderate income units) and condominium or homeowner association fees do not exceed twenty-eight percent (28%) of the eligible gross monthly income. The master deed of any development which provides affordable housing shall require that condominium fees, homeowner association fees or special assessments applicable to low and moderate income purchasers be equal to said fees or assessments paid by market purchasers.
12. Age restrictions prohibited. Affordable dwelling units shall not be age-restricted.
13. Heating source. In any development which includes affordable dwelling units, the affordable dwelling units shall utilize the same heating source as market units within the development.
14. Administration of marketing and affordability controls. Affirmative marketing and affordability controls relating to low and moderate income housing, except as provided otherwise herein, shall be consistent with the rules and regulations established by the New Jersey Council on Affordable Housing. The administration of such affirmative

marketing and affordability controls, including occupancy selection, determination of eligibility, establishment of sales prices and other related matters shall be performed by an agent or agency appointed by the governing body as otherwise provided by ordinance.

15. Compliance with site plan and subdivision standards. Compliance with Article 10, Design Guidelines, Standards and Construction Specifications, shall be required for all affordable housing developments, except where deviations from such provisions are determined by the Planning Board to be necessary to provide affordable housing as permitted herein. In considering deviations, the Planning Board shall be guided by the rules and regulations of the Council on Affordable Housing at N.J.A.C. 5:93-10.

G. Other regulations applicable to multi-family residences and single family attached residences.

1. Townhouse facade variation. In order to avoid excessive visual monotony, the front and rear facade of each townhouse dwelling unit shall be substantially different in appearance from the facade of adjacent dwelling units. The facade variation as required herein shall be accomplished by the use of different materials, textures or colors, or any combination thereof; provided that the facade designs shall avoid excessive variety or contrast. The use of materials, textures and colors shall be harmonious and compatible throughout the entire development.
2. Compatible architecture. The design of accessory buildings and structures, including the nature of building materials used, shall be substantially the same as used in the construction of principal buildings on the same site designed to be used for multi-family residences or single family attached residences.
3. Use of accessory buildings. No part of any accessory building or structure shall be used for living purposes.
4. Screening. Any premises in the RA-5A zone that is used for multi-family residences or single family attached residences shall be effectively screened on any side which abuts any premises that is used exclusively as a single family detached or two family dwelling. The required screening shall meet the conditions imposed by the Planning Board to for this purpose.

H. Other regulations.

In addition to the above requirements, any development in the RA-5A zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12; and,
2. the off-street parking provisions of Article 17.

§ 11.19. RA-5B MULTI-FAMILY RESIDENCE DISTRICT.**A. Principal uses and structures.** The following principal uses and structures shall be permitted in the RA-5B zone district:

1. multi-family residences as defined in Article 2, limited to the following ownership types:
 - a. fee simple ownership of individual units;
 - b. condominium ownership; or,
 - c. cooperative ownership;
2. single-family residential uses in attached single-family residential structures, also known as townhouses; and,
3. public parks and playgrounds.

B. Accessory uses and structures. The following accessory uses and structures shall be permitted in the RA-5B zone:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. antennas, as regulated in § 13.04; and,
4. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. Conditional uses and structures. The following conditional uses and structures shall be permitted in the RA-5B district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. residential type public utility facilities;
2. certain cellular telecommunications antennas as set forth in Article 18; and,

3. uses in the flood plain which are also permitted principal, accessory or conditional uses in the RA-5B zone district.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all developments within the RA-5B zone district:
 1. Minimum tract area. There shall be a minimum tract area of two (2) acres.
 2. Minimum front yard. For interior lots, there shall be a front yard of not less than forty (40) feet. For corner lots, the required front yard shall not be less than forty (40) feet, and the required street side yard shall not be less than forty (40) feet.
 3. Minimum side yard and rear yard. Except as provided above for corner lots, no building containing dwelling units shall be closer to any side or rear property line than thirty (30) feet. Notwithstanding this requirement, when the side yard in the RA-5B zone abuts the side yard of any residential zone, the minimum side yard in the RA-5B zone shall be equal to one (1) foot for every foot of height of the building in the RA-5B zone, but not less than thirty (30) feet.
 4. Maximum density. There shall be a maximum density of eight (8) dwelling units for each acre of lot or tract area.
 5. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not more than thirty-eight (38) feet in height. No accessory building shall exceed one (1) story in height.
 6. Minimum distance between buildings. Between buildings containing dwelling units, the following minimum distances shall apply:
 - a. End wall to end wall: thirty (30) feet.
 - b. End wall to front wall, or end wall to rear wall: forty-five (45) feet.
 - c. Front wall to front wall, front wall to rear wall, or rear wall to rear wall: sixty (60) feet.
 - d. "U" shaped buildings or a group of attached buildings forming a "U" shape: the open court across the "U"

shall not be less than sixty (60) feet, and said court shall not contain any accessory building.

7. Maximum coverage by buildings and above grade structures. No more than twenty-five percent (25%) of the area of any lot shall be covered by buildings and above grade structures; provided, however, that such coverage may be increased to twenty-seven percent (27%) when at least two percent (2%) of such coverage of the lot is by a deck or decks. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
8. Maximum coverage by improvements. No more than fifty percent (50%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, swimming pools, etc. It is the intention of this provision that each lot shall have at least fifty percent (50%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.
9. Maximum dwelling units per building. No townhouse building shall contain more than six (6) dwelling units. No multi-family residential building shall contain more than ten (10) dwelling units. For purposes of administering this section, where buildings containing dwelling units are connected by an accessory structure which does not contain dwelling units, each building containing dwelling units shall be considered a separate building.
10. Maximum continuous wall length. The longest dimension of any continuous exterior wall of any building shall not be greater than fifty (50) feet. For the purpose of administering this provision, any exterior wall that is offset for a depth of four (4) feet or greater shall be construed as a separate wall.

F. **Affordable housing regulations.** The following regulations shall apply to all developments which provide for affordable housing within the RA-5B zone district:

1. Total number of affordable units. Any development for multi-family residences or single-family attached residences shall be required to make at least twenty percent (20%) of the total number of dwelling units affordable and sold to low and moderate income households.

2. Integration of affordable and market rate units. All developments which provide for affordable housing shall be designed to integrate the affordable housing units with the market units within the development.
3. Phasing of affordable units. All developments which provide for affordable housing shall be required to construct the affordable dwelling units in accordance with the following schedule:

<u>Percentage of Market Rate Units Completed</u>	<u>Minimum Percentage of Low and Moderate Income Housing Units Completed</u>
25%	0%
25%, plus 1 unit	10%
50%	50%
75%	75%
90%	100%

For purposes of administering this phasing schedule, no certificates of occupancy may be issued for market rate housing units in excess of the specified percentages until at least the specified percentages of low and moderate income units have been constructed and sold to low and moderate income households.

4. Bedroom distribution. All developments which provide for affordable housing shall be structured in conjunction with realistic market demands so that in regard to the affordable units:
 - a. the combination of efficiency and one (1) bedroom units is at least ten percent (10%) and no greater than twenty percent (20%) of the total number of affordable dwelling units;
 - b. at least thirty percent (30%) of all affordable dwelling units are two (2) bedroom units; and
 - c. at least twenty percent (20%) of all affordable dwelling units are three (3) bedroom units.
5. Distribution of low and moderate income units. Of the total number of affordable dwelling units, one-half ($\frac{1}{2}$) shall be made affordable and sold to low income households, and one-half ($\frac{1}{2}$) shall be made affordable and sold to moderate income households. If the total number of affordable

dwelling units is not an even number, there shall be one (1) more low income unit than the number of moderate income units.

6. Determination of eligible household incomes for low and moderate income units. In determining the eligible household incomes for low and moderate income housing units, the following shall apply:
 - a. Low income housing units shall be reserved for households with a gross household income less than or equal to fifty percent (50%) of the median income approved by the Council on Affordable Housing.
 - b. Moderate income housing units shall be reserved for households with a gross household income less than eighty percent (80%) of the median income approved by the Council on Affordable Housing. A household earning less than fifty percent (50%) of median may be placed in a moderate income housing unit.
7. Determination of sale prices; number of bedrooms/household size. The following criteria, in conjunction with realistic market information, shall be used determining sale prices. If there is an odd number of units in any bedroom distribution, the following criteria shall be followed as closely as possible, recognizing that an equal number of units can not be made affordable to two different household sizes in such event:
 - a. Efficiency units shall be affordable to one (1) person households.
 - b. One-half ($\frac{1}{2}$) of all one (1) bedroom units shall be affordable to one (1) person households; and one-half ($\frac{1}{2}$) of all one (1) bedroom units shall be affordable to two (2) person households.
 - c. One-half ($\frac{1}{2}$) of all two (2) bedroom units shall be affordable to two (2) person households; and one-half ($\frac{1}{2}$) of all two (2) bedroom units shall be affordable to three (3) person households.
 - d. One-half ($\frac{1}{2}$) of all three (3) bedroom units shall be affordable to four (4) person households and one-half ($\frac{1}{2}$) of all three (3) bedroom units shall be affordable to five (5) person households.
8. Minimum number of low income units in each bedroom distribution. At least one-third ($\frac{1}{3}$) of all units in each bedroom distribution shall be affordable to low income households.

9. Determination of sale prices; maximum average price. All developments which provide for affordable housing shall be required to ensure that the average price of affordable dwelling units be affordable to households earning no more than fifty-seven and one half percent (57.5%) of the median income approved by the Council on Affordable Housing.
10. Determination of sale prices; price stratification. In averaging the price of affordable units as required by paragraph 9. above, the prices of units shall be stratified so that to the maximum extent possible, considering the number of affordable units in each bedroom distribution, the moderate income sales units in each bedroom distribution shall be available for at least three (3) different prices and the low income sales units in each bedroom distribution shall be available for at least two (2) different prices.
11. Determination of sale prices; maximum initial sales price. The initial sales price of a low and moderate income owner-occupied single family housing unit shall be established so that after a down payment of five percent (5%), the monthly principal, interest, insurance, property taxes (property taxes shall be based on the restricted value of low and moderate income units) and condominium or homeowner association fees do not exceed twenty-eight percent (28%) of the eligible gross monthly income. The master deed of any development which provides affordable housing shall require that condominium fees, homeowner association fees or special assessments applicable to low and moderate income purchasers be equal to said fees or assessments paid by market purchasers.
12. Age restrictions prohibited. Affordable dwelling units shall not be age-restricted.
13. Heating source. In any development which includes affordable dwelling units, the affordable dwelling units shall utilize the same heating source as market units within the development.
14. Administration of marketing and affordability controls. Affirmative marketing and affordability controls relating to low and moderate income housing, except as provided otherwise herein, shall be consistent with the rules and regulations established by the New Jersey Council on Affordable Housing. The administration of such affirmative marketing and affordability controls, including occupancy selection, determination of eligibility, establishment of sales prices and other related matters shall be performed by an agent or agency appointed by the governing body as otherwise provided by ordinance.

15. Compliance with site plan and subdivision standards. Compliance with Article 10, Design Guidelines, Standards and Construction Specifications, shall be required for all affordable housing developments, except where deviations from such provisions are determined by the Planning Board to be necessary to provide affordable housing as permitted herein. In considering deviations, the Planning Board shall be guided by the rules and regulations of the Council on Affordable Housing at N.J.A.C. 5:93-10.

G. **Other regulations** applicable to multi-family residences and single family attached residences.

1. Townhouse facade variation. In order to avoid excessive visual monotony, the front and rear facade of each townhouse dwelling unit shall be substantially different in appearance from the facade of adjacent dwelling units. The facade variation as required herein shall be accomplished by the use of different materials, textures or colors, or any combination thereof; provided that the facade designs shall avoid excessive variety or contrast. The use of materials, textures and colors shall be harmonious and compatible throughout the entire development.
2. Compatible architecture. The design of accessory buildings and structures, including the nature of building materials used, shall be substantially the same as used in the construction of principal buildings on the same site designed to be used for multi-family residences or single family attached residences.
3. Use of accessory buildings. No part of any accessory building or structure shall be used for living purposes.
4. Screening. Any premises in the RA-5B zone that is used for multi-family residences or single family attached residences shall be effectively screened on any side which abuts any premises that is used exclusively as a single family detached or two family dwelling. The required screening shall meet the conditions imposed by the Planning Board to for this purpose.

H. **Other regulations.** In addition to the above requirements, any development in the RA-5B zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12; and,
2. the off-street parking provisions of Article 17.

§ 11.20. P-1 PROFESSIONAL OFFICE DISTRICT.

A. **Principal uses and structures.** The P-1 zone district is designed for professional offices in which the principal use is a licensed practitioner(s) of certain professions, and in which the use and appearance of the properties are compatible with residential use on adjacent properties or in adjacent zones. The following principal uses and structures shall be permitted in the P-1 zone district:

1. professional offices of licensed practitioner(s) on the first and/or second floors, limited to the following uses:
 - a. doctors and licensed clinical psychologists treating the ailments of humans, excluding therefrom clinics or outpatient dispensaries whose principal function is the providing of nursing or convalescent care or the furnishing of narcotic, drug or alcohol abuse treatment;
 - b. lawyers;
 - c. professional engineers, licensed land surveyors and licensed professional planners;
 - d. architects and certified landscape architects; and,
 - e. certified public accountants, excluding data processing establishments;
2. child care centers on the first and/or second floors;
3. single-family residential uses in detached single-family structures; and,
4. single-family residential uses on the second and/or third floor in the same structure as a permitted professional office use.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the P-1 zone district:

1. parking and parking facilities as regulated in Article 17, including garages for professional office use when used exclusively for parking of motor vehicles;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14;
4. antennas, as regulated in § 13.04; and,

5. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the P-1 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. houses of worship;
2. non-profit chartered membership organizations;
3. residential type public utility facilities; and,
4. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, professional offices intended to operate or function with an employee or professional present outside of normal business hours on a regular basis are prohibited. For purposes of this subsection, normal business hours shall be construed to be 8:00 a.m. to 10:00 p.m. daily, excluding Sundays. Non-residential use on the third floor is also prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the P-1 zone district, unless more stringent requirements are provided by this ordinance:

1. Minimum lot area. Every lot shall contain a minimum lot area of twelve thousand (12,000) square feet.
2. Minimum lot width. Every lot shall have a minimum lot width of one hundred (100) feet. In addition, the average lot width shall be such that the minimum lot area of twelve thousand (12,000) square feet shall be provided within one hundred and twenty (120) feet of the front street sideline.
3. Minimum lot frontage. There shall be a minimum lot frontage of one hundred (100) feet for all lots.
4. Minimum lot depth. Every lot shall have a minimum lot depth of one hundred and fifty (150) feet.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the

event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the front yard shall be as required above for interior lots. The street side yard shall not be less than twenty (20) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than twelve (12) feet. Notwithstanding the above requirement, when the side yard in the P-1 zone district abuts a property in any residential zone, said side yard shall be not less than one (1) foot for every foot of height of the building located in the P-1 zone district, but not less than twelve (12) feet.
7. Minimum rear yard. There shall be a rear yard of at least fifty (50) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-eight (38) feet in height.
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E; provided, however, that the habitable floor area devoted to professional office use shall not exceed two-thirds (2/3) of the floor area permitted in § 12.04E for residential use.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.
12. Front yard landscaping. Within the front yard area, there shall be no buildings or paving permitted except for driveways, sidewalks and access facilities for persons with disabilities, all of which must be necessary to provide access to buildings and access to parking and delivery areas. All areas in the front yard not used for access shall be landscaped.

F. **Residential appearance regulations.** All buildings, including new, converted or existing structures shall be residential in exterior appearance. For the purpose of administering this subsection, "residential in exterior appearance" shall mean a building which complies with all of the following requirements:

1. No building elevation along an abutting street shall have an overall dimension that is greater than seventy-six (76) feet.
2. No building shall have a roof pitch that is less than thirty-three and one-third percent (33.33%).
3. Not more than one (1) window in each building elevation shall be wider than four (4) feet.
4. Exterior building materials shall be limited to wood, metal or vinyl clapboard; wood shingle, stone, brick or stucco. This limitation shall not apply to roofs, windows or doors.
5. Every building elevation that fronts on an abutting street shall have at least one offset of not less than eighteen (18) inches between wall planes facing on said street.
6. No building shall contain more than one (1) exterior doorway for each building elevation, except where needed to provide access for persons with disabilities.
7. The habitable floor area of the second floor shall not exceed the habitable floor area of the first floor by more than ten percent (10%).

G. **Screening of residential properties.** Any premises in the P-1 zone district that is used for a permitted professional office as herein regulated shall be effectively screened on any side which abuts any premises in the P-1 zone district that is used exclusively as a residence, or on any side which abuts any premises in a residential zone district. Said screening shall meet the conditions of the Planning Board or Zoning Board of Adjustment to carry out this objective.

H. **Mixed residential and non-residential use.** The following regulations shall apply to single-family residential uses on the second and/or third floor in the same structure as a permitted professional office use, in addition to all other applicable regulations of this chapter:

1. Each dwelling unit shall have a minimum habitable floor area of seven hundred and fifty (750) square feet.
2. The habitable floor area devoted to residential use(s) shall not exceed two-thirds (2/3) of the total habitable floor area of the building or structure containing said residential use(s).
3. Parking must be provided for the residential use as required by Article 17.

I. **Other regulations.** In addition to the above requirements, any development in the P-1 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17;
4. the sign provisions of Article 16; and,
5. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings).

§ 11.21. P-2 PROFESSIONAL OFFICE DISTRICT.

A. **Principal uses and structures.** The P-2 zone district is designed for professional offices in which the principal use is a licensed practitioner(s) of certain professions, and in which the use and appearance of the properties are compatible with residential use on adjacent properties or in adjacent zones. The following principal uses and structures shall be permitted in the P-2 zone district:

1. professional offices of licensed practitioner(s) on the first and/or second floors, limited to the following uses:
 - a. doctors and licensed clinical psychologists treating the ailments of humans, excluding therefrom clinics or outpatient dispensaries whose principal function is the providing of nursing or convalescent care or the furnishing of narcotic, drug or alcohol abuse treatment;
 - b. lawyers;
 - c. professional engineers, licensed land surveyors and licensed professional planners;
 - d. architects and certified landscape architects; and,
 - e. certified public accountants, excluding data processing establishments;
2. child care centers on the first and/or second floors;
3. single-family residential uses in detached single-family structures; and,

4. two-family residential uses is a single residential structure designed for two (2) separate dwelling units on the same lot; and,

5. single-family residential uses on the second and/or third floor in the same structure as a permitted professional office use.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the P-2 zone district:

1. parking and parking facilities as regulated in Article 17, including garages for professional office use when used exclusively for parking of motor vehicles;

2. signs as regulated in Article 16;

3. home occupations as regulated in Article 14;

4. antennas, as regulated in § 13.04; and,

5. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the P-2 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. houses of worship;

2. non-profit chartered membership organizations;

3. residential type public utility facilities; and,

4. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, professional offices intended to operate or function with an employee or professional present outside of normal business hours on a regular basis are prohibited. For purposes of this subsection, normal business hours shall be construed to be 8:00 a.m. to 10:00 p.m. daily, excluding Sundays. Non-residential use on the third floor is also prohibited.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all development within the P-2 zone district,

unless more stringent requirements are provided by this ordinance:

1. Minimum lot area. Every lot shall contain a minimum lot area of twelve thousand (12,000) square feet.
2. Minimum lot width. Every lot shall have a minimum lot width of one hundred (100) feet. In addition, the average lot width shall be such that the minimum lot area of twelve thousand (12,000) square feet shall be provided within one hundred and twenty (120) feet of the front street sideline.
3. Minimum lot frontage. There shall be a minimum lot frontage of one hundred (100) feet for all lots.
4. Minimum lot depth. Every lot shall have a minimum lot depth of one hundred and fifty (150) feet.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the front yard shall be as required above for interior lots. The street side yard shall not be less than twenty (20) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than twelve (12) feet. Notwithstanding the above requirement, when the side yard in the P-2 zone district abuts a property in any residential zone, said side yard shall be not less than one (1) foot for every foot of height of the building located in the P-2 zone district, but not less than twelve (12) feet.
7. Minimum rear yard. There shall be a rear yard of at least fifty (50) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-eight (38) feet in height.
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E; provided, however, that the habitable floor area devoted to professional office use shall not exceed five-sixths (5/6) of the floor area permitted in § 12.04E for residential use.

10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.
12. Front yard landscaping. Within the front yard area, there shall be no buildings or paving permitted except for driveways, sidewalks and access facilities for persons with disabilities, all of which must be necessary to provide access to buildings and access to parking and delivery areas. All areas in the front yard not used for access shall be landscaped.

F. **Residential appearance regulations.** All buildings, including new, converted or existing structures shall be residential in exterior appearance. For the purpose of administering this subsection, "residential in exterior appearance" shall mean a building which complies with all of the following requirements:

1. No building elevation along an abutting street shall have an overall dimension that is greater than seventy-six (76) feet.
2. No building shall have a roof pitch that is less than thirty-three and one-third percent (33.33%).
3. Not more than one (1) window in each building elevation shall be wider than four (4) feet.
4. Exterior building materials shall be limited to wood, metal or vinyl clapboard; wood shingle, stone, brick or stucco. This limitation shall not apply to roofs, windows or doors.
5. Every building elevation that fronts on an abutting street shall have at least one offset of not less than eighteen (18) inches between wall planes facing on said street.
6. No building shall contain more than one (1) exterior doorway for each building elevation, except where needed to provide access for persons with disabilities.
7. The habitable floor area of the second floor shall not exceed the habitable floor area of the first floor by more than ten percent (10%).

G. **Screening of residential properties.** Any premises in the P-2 zone district that is used for a permitted professional office as herein regulated shall be effectively screened on any side which abuts any premises in the P-2 zone district that is used exclusively as a residence, or on any side which abuts any

premises in a residential zone district. Said screening shall meet the conditions of the Planning Board or Zoning Board of Adjustment to carry out this objective.

- H. **Mixed residential and non-residential use.** The following regulations shall apply to single-family residential uses on the second and/or third floor in the same structure as a permitted professional office use, in addition to all other applicable regulations of this ordinance:

1. Each dwelling unit shall have a minimum habitable floor area of seven hundred and fifty (750) square feet.
2. The habitable floor area devoted to residential use(s) shall not exceed two-thirds (2/3) of the total habitable floor area of the building or structure containing said residential use(s).
3. Parking must be provided for the residential use as required by Article 17.

- I. **Other regulations.** In addition to the above requirements, any development in the P-2 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17;
4. the sign provisions of Article 16; and,
5. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings).

§ 11.22. O-1 OFFICE DISTRICT.

- A. **Principal uses and structures.** The O-1 zone district is designed for business, administrative and professional offices as permitted herein. The following principal uses and structures shall be permitted in the O-1 zone district:

1. business, administrative and professional offices;
2. child care centers; and,
3. single-family residential uses on the second or third floor shall be permitted in the same structure as a professional office use.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the O-1 zone district:

1. parking and parking facilities as regulated in Article 17, including garages for office use when used exclusively for parking of motor vehicles;
2. antennas, as regulated in § 13.04;
3. signs as regulated in Article 16; and,
4. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the O-1 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. residential type public utility facilities; and,
2. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, offices intended to operate or function with an employee or professional present outside of normal business hours on a regular basis are prohibited. For purposes of this subsection, normal business hours shall be construed to be 8:00 a.m. to 10:00 p.m. daily, excluding Sundays.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all uses permitted within the O-1 zone district, unless more stringent requirements are provided by this ordinance:

1. Minimum lot area. Every lot shall contain a minimum lot area of twelve thousand (12,000) square feet.
2. Minimum lot width. Every lot shall have a minimum lot width of one hundred (100) feet. In addition, the average lot width shall be such that the minimum lot area of twelve thousand (12,000) square feet shall be provided within one hundred and twenty (120) feet of the front street sideline.
3. Minimum lot frontage. There shall be a minimum lot frontage of one hundred (100) feet for all lots.

4. Minimum lot depth. Every lot shall have a minimum lot depth of one hundred and fifty (150) feet.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the front yard shall be as required above for interior lots. The street side yard shall not be less than twenty (20) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than twelve (12) feet. Notwithstanding the above requirement, when the side yard in the O-1 zone district abuts a property in any residential zone, said side yard shall be not less than one (1) foot for every foot of height of the building located in the O-1 zone district, but not less than twelve (12) feet.
7. Minimum rear yard. There shall be a rear yard of at least fifty (50) feet.
8. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not more than thirty (30) feet in height.
9. Maximum coverage by buildings and above grade structures. No more than twenty-five percent (25%) of the area of any lot shall be covered by buildings and above grade structures. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
10. Maximum coverage by improvements. No more than fifty percent (50%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, swimming pools, etc. It is the intention of this provision that each lot shall have at least fifty percent (50%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.

- F. **Screening of residential properties.** Any premises in the O-1 zone district that is used for a permitted office as herein regulated shall be effectively screened on any side which abuts any premises in a residential zone district. Said screening shall

meet the conditions of the Planning Board or the Zoning Board of Adjustment to carry out this objective.

G. **Mixed residential and non-residential use.** The following regulations shall apply to single-family residential uses on the second or third floor in the same structure as a professional office use, in addition to all other applicable regulations of this ordinance:

1. Each dwelling unit shall have a minimum finished habitable floor area of seven hundred and fifty (750) square feet.
2. The habitable floor area devoted to residential use(s) shall not exceed one half (1/2) of the total habitable floor area of the building or structure containing said residential use(s).
3. Parking must be provided for the residential use as required by Article 17.

H. **Other regulations.** In addition to the above requirements, any development in the O-1 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17; and,
4. the sign provisions of Article 16.

§ 11.23. O-2 OFFICE-RESEARCH DISTRICT.

A. **Principal uses and structures.** The O-2 zone district is intended to encourage business, administrative and professional offices. The following principal uses and structures shall be permitted in the O-2 zone district:

1. business, administrative and professional offices; and,
2. child care centers.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the O-2 zone district:

1. parking and parking facilities as regulated in Article 17;
2. antennas, as regulated in § 13.04;

3. signs as regulated in Article 16; and,
 4. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the O-2 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. residential type public utility facilities; and,
 2. certain cellular telecommunications antennas as set forth in Article 18.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above is prohibited.
- E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all uses permitted within the O-2 zone district, unless more stringent requirements are provided by this ordinance:
1. Minimum lot area. Each lot shall have a minimum area of eighty thousand (80,000) square feet.
 2. Minimum lot width. Each lot shall have a minimum width of two hundred (200) feet.
 3. Minimum front yard. For interior lots, there shall be a front yard of not less than seventy-five (75) feet. For corner lots, the front yard shall be as required for interior lots, and the street side yard shall not be less than fifty (50) feet.
 4. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than thirty-five (35) feet.
 5. Minimum rear yard. There shall be a rear yard of at least fifty (50) feet.
 6. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not to exceed forty (40) feet in height, whichever is less.

7. Maximum floor area ratio. The total habitable floor area within all buildings or structures on any lot shall not be more than forty-five percent (45%) of the total lot area.
8. Maximum coverage by buildings and above grade structures. No more than thirty-five percent (35%) of the area of any lot shall be covered by buildings and above grade structures. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
9. Maximum coverage by improvements. No more than eighty percent (80%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, storage areas, etc. It is the intention of this provision that each lot shall have at least twenty percent (20%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.

F. **Other regulations.** In addition to the above requirements, any development in the O-2 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17; and,
4. the sign provisions of Article 16.

§ 11.24. O-3 OFFICE - RESEARCH DISTRICT.

A. **Principal uses and structures.** The O-3 zone district is intended to encourage business, administrative and professional offices, as well as limited scientific and research facilities. The following principal uses and structures shall be permitted in the O-3 zone district:

1. business, administrative and professional offices;
2. scientific and research facilities limited to those uses which meet all of the following descriptions:

- a. all aspects of the use, other than parking, shipping, and deliveries, are carried on within the principal building on the site; and,
 - b. the total habitable floor area does not exceed eighty thousand (80,000) square feet; and,
3. child care centers.
- B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the O-3 zone district:
 1. parking and parking facilities as regulated in Article 17;
 2. antennas, as regulated in § 13.04;
 3. signs as regulated in Article 16; and,
 4. accessory uses and structures customarily subordinate and incidental to permitted principal uses and accessory uses and structures customarily subordinate and incidental to permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the O-3 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
 1. residential type public utility facilities;
 2. industrial type public utility facilities; and,
 3. certain cellular telecommunications antennas as set forth in Article 18.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above is prohibited. In addition, and notwithstanding the above permitted uses, the following uses shall be specifically prohibited:
 1. manufacturing use of any kind;
 2. retail or wholesale sales;
 3. personal or business services, except as may be specifically permitted above;
 4. residential use of any kind;
 5. petroleum refining and related industries;

6. public or private schools;
7. all above ground and underground bulk storage of liquefied petroleum gases, gasoline, diesel fuel, kerosene, No. 2 fuel, fuel oil, chemicals or similar hazardous, flammable or combustible liquids in any amount. Aboveground or basement storage of up to five hundred and thirty (530) gallons of kerosene or No. 2 heating fuel in approved storage tanks and used exclusively for heating purposes on the premises is exempted from the above prohibition;
8. underground bulk storage of any hazardous or flammable chemicals;
9. any building, structure or use which would create an undue hazard of fire, explosion or nuisance by reason of odor, noise, dust or smoke, or which in any way would be detrimental to the health, public morals and public safety of the community, including any use defined as a "H" use by the New Jersey Uniform Construction Code;
10. private commercial parking lots as a principal use;
11. trucking terminals;
12. commercial incineration, junk yards, or rubbish, garbage or trash dumps;
13. outdoor storage of material or equipment; and,
14. warehouses or storage buildings.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all uses permitted within the O-3 zone district, unless more stringent requirements are provided by this ordinance:

1. Minimum lot area. Each lot shall have a minimum area of eighty thousand (80,000) square feet.
2. Minimum lot width. Each lot shall have a minimum width of two hundred (200) feet.
3. Minimum front yard. For interior lots, there shall be a front yard of not less than seventy-five (75) feet. For corner lots, the front yard shall be as required for interior lots, and the street side yard shall not be less than fifty (50) feet.
4. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than thirty-five (35) feet.

5. Minimum rear yard. There shall be a rear yard of at least fifty (50) feet.
 6. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not to exceed thirty (30) feet in height, whichever is less.
 7. Maximum floor area ratio. The total habitable floor area within all buildings or structures on any lot shall not be more than forty-five percent (45%) of the total lot area.
 8. Maximum coverage by buildings and above grade structures. No more than thirty-five percent (35%) of the area of any lot shall be covered by buildings and above grade structures. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
 9. Maximum coverage by improvements. No more than eighty percent (80%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, storage areas, etc. It is the intention of this provision that each lot shall have at least twenty percent (20%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.
- F. **Other regulations.** In addition to the above requirements, any development in the O-3 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:
1. the general provisions of Article 12;
 2. the regulations affecting accessory buildings, structures and uses in Article 13;
 3. the off-street parking provisions of Article 17; and,
 4. the sign provisions of Article 16.

§ 11.25. CBD CENTRAL BUSINESS DISTRICT.

- A. **Principal uses and structures.** The CBD zone district is intended to encourage retail sales and personal services oriented to pedestrian shopping on the ground floor, and other commercial activity and residential use on the upper floors. The following

principal uses and structures shall be permitted in the CBD zone district:

1. business establishments devoted primarily to the retail sales of goods and personal services on the premises, including restaurants and food establishments intended for food consumption on the premises or for take-out of food;
2. banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans. Such business must be conducted on the premises, and must be the principal activity of the use on the premises;
3. only on the second or third floors of a building, business, administrative and professional offices or other business establishments providing the following services:
 - a. finance, insurance or real estate sales or services;
 - b. business or professional services;
 - c. health services;
 - d. social services;
 - e. consulting services;
4. museums, art galleries and indoor motion picture theaters, and theaters for conducting live entertainment or cultural performances;
5. child care centers;
6. governmental buildings and municipal parking facilities;
7. public parks and playgrounds; and,
8. residential dwelling units on the second or third floors of a building.

B. Accessory uses and structures. [Amended 8-03-04 by Ord. No. 1838]
The following accessory uses and structures shall be permitted in the CBD zone district:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. antennas, as regulated in § 13.04;

4. sidewalk cafes as permitted and regulated by § 24-46 through § 24-57 of the Town Code; and,
 5. other accessory uses and structures customarily subordinate and incidental to permitted principal uses and permitted conditional uses
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the CBD district only if they comply with the appropriate regulations for such uses or structures in Article 18: **[Amended 12-14-04 by Ord. No. 1843]**
1. non-profit chartered membership organizations;
 2. residential type public utility facilities;
 3. certain cellular telecommunications antennas as set forth in Article 18; and,
 4. age-restricted multi-family housing on the ground floor of a building.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, the following uses shall be specifically prohibited:
1. any business conducted outside the confines of a building, except for sidewalk cafes permitted and regulated by § 24-46 through § 24-57 of the Town Code, and except those temporary activities permitted by special permission from the Town Council; **[Amended 8-03-04 by Ord. No. 1838]**
 2. gasoline filling stations, gasoline service stations, public garages, automobile body repair or painting shops;
 3. lumber or building material yards;
 4. sale, rental or repair of automobiles, motorcycles, boats, trailers, lawn mowers, small gasoline or other liquid fuel engines;
 5. dry cleaning establishments where the dry cleaning is done on the premises;
 6. warehouses or businesses which do not sell directly to the general public;
 7. public or private schools;

8. any building, structure or use involving the sale of food or beverages to be served or consumed on the premises, but outside the confines of the building, except for sidewalk cafes permitted and regulated by § 24-46 through § 24-57 of the Town Code. This prohibition shall include the serving of food from the interior of the building to the exterior through a window or other opening; **[Amended 8-03-04 by Ord. No. 1838]**
9. funeral services, undertakers, crematories and morticians;
10. residential use of any kind other than those uses as permitted in Subsections A and C above. Existing nonconforming residential buildings or structures shall not be extended or enlarged for use relating to a business, unless the first floor is used entirely for business use; **[Amended 12-14-04 by Ord. No. 1843]**
11. all above ground and underground bulk storage of liquefied petroleum gases, gasoline, diesel fuel, kerosene, No. 2 fuel, fuel oil, chemicals or similar hazardous, flammable or combustible liquids in any amount, except as permitted otherwise by § 13.05. Aboveground or basement storage of up to five hundred and thirty (530) gallons of kerosene or No. 2 heating fuel in approved storage tanks and used exclusively for heating purposes on the premises is exempted from the above prohibition;
12. any building, structure or use which would create an undue hazard of fire, explosion or nuisance by reason of odor, noise, dust or smoke, or which in any way would be detrimental to the health, public morals and public safety of the community; and,
13. private commercial parking lots as a principal use.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all uses permitted within the CBD zone district, unless more stringent requirements are provided by this ordinance:

1. Minimum front yard. No front yard shall be required.
2. Minimum side yard. All principal buildings may be constructed without side yards, except that when a side yard is provided, it shall not be less than ten (10) feet. Notwithstanding the above requirement, when the side yard in the CBD zone district abuts a property in any residential zone, said side yard shall be not less than one (1) foot for every two (2) feet of height of the building located in the CBD zone district, but not less than ten (10) feet. Within this required side yard, there shall be a

buffer at least ten (10) feet deep, within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately protect the abutting residentially zoned property.

3. Minimum rear yard. There shall be a rear yard of at least one (1) foot for every two (2) feet of height of the principal building on the lot which is the subject of the application, but not less than ten (10) feet. Notwithstanding the above requirement, the following rear yard regulations shall apply to all properties in the CBD zone district which are used for residential purposes, or which abut a residential zone:

- a. When a building in the CBD zone district is to be used in whole or in part for residential purposes, there shall be a rear yard of not less than thirty-five (35) feet.
- b. When the rear yard in the CBD zone district abuts a property in any residential zone, said rear yard shall be not less than thirty-five (35) feet. Within this required rear yard, there shall be a buffer at least ten (10) feet deep, within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately protect the abutting residential property.

4. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, or forty (40) feet in height, whichever is less.

F. **Storefront facade regulations.** The following regulations shall apply to the design of storefront facades in the CBD zone district:

1. Window area. Building facades which face the street shall contain a transparent window area on the ground floor which comprises not less than forty percent (40%) of the area of the ground floor facade, when the following conditions exist or are proposed:
 - a. the facade in question is set back less than ten (10) feet from the right-of-way; and
 - b. a new building, substantial renovation or reconstruction of the street facade of an existing building, or a conditional use as set forth in Subsection C.1 or C.2 above, is proposed.

When an existing building contains more than one (1) unit occupied by different tenants, the above requirement shall

apply only for the facade of the unit(s) being renovated or reconstructed. For purposes of administering the above requirements, the ground floor facade area shall be construed to be the product of the width of the facade times ten (10) feet.

2. Awnings. Awnings shall be permitted as regulated by the Town Code.

G. **Mixed residential and non-residential use.** The following regulations shall apply to dwelling units on the second or third floor of a principal building:

1. The habitable floor area devoted to residential use(s) shall not exceed two-thirds (2/3) of the total habitable floor area of the building or structure containing said residential use(s).
2. Any single dwelling unit shall have a minimum of six hundred (600) square feet of habitable floor area.
3. Parking shall be provided for the residential use as required by Article 17.

H. **Other regulations.** In addition to the above requirements, any development in the CBD zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17; and,
4. the sign provisions of Article 16.

§ 11.26. GB-1 GENERAL BUSINESS DISTRICT.

A. **Principal uses and structures. [Amended 5-11-1999 by Ord. No. 1734]** The GB-1 zone district is intended to encourage retail sales and personal services oriented to pedestrian shopping, other commercial uses permitted herein, and residential use on the upper floors. The following principal uses and structures shall be permitted in the GB-1 zone district:

1. business establishments devoted primarily to the retail sales of goods and personal services on the premises, including restaurants and food establishments intended for food consumption on the premises or for take-out of food;

2. banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans;
 3. business, administrative and professional offices, or other business establishments providing the following services:
 - a. finance, insurance or real estate sales or services;
 - b. business or professional services;
 - c. health services;
 - d. social services;
 - e. consulting services;
 4. museums, art galleries and indoor motion picture theaters, and theaters for conducting live entertainment or cultural performances;
 5. child care centers;
 6. governmental buildings and municipal parking facilities;
 7. public parks and playgrounds;
 8. residential dwelling units on the second or third floors of a building; and,
 9. parking areas accessory to a permitted principal use in the GB-1 district but which are located on a different lot than such principal use.
- B. **Accessory uses and structures. [Amended 8-03-04 by Ord. No. 1838]**
The following accessory uses and structures shall be permitted in the GB-1 zone district:
1. parking and parking facilities as regulated in Article 17;
 2. signs as regulated in Article 16;
 3. antennas, as regulated in § 13.04;
 4. sidewalk cafes as permitted and regulated by § 24-46 through § 24-57 of the Town Code; and,
 5. other accessory uses and structures customarily subordinate and incidental to permitted principal uses and permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the GB-1 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

1. houses of worship;
2. non-profit chartered membership organizations;
3. residential type public utility facilities; and,
4. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, the following uses shall be specifically prohibited:

1. any business conducted outside the confines of a building, except for sidewalk cafes permitted and regulated by § 24-46 through § 24-57 of the Town Code, and except those temporary activities permitted by special permission from the Town Council; **[Amended 8-03-04 by Ord. No. 1838]**
2. gasoline filling stations, gasoline service stations, public garages and automobile body repair or painting shops;
3. lumber or building material yards;
4. sale, rental or repair of automobiles, motorcycles, boats, trailers, lawn mowers, small gasoline or other liquid fuel engines;
5. dry cleaning establishments where the dry cleaning is done on the premises;
6. warehouses or businesses which do not sell directly to the general public;
7. public or private schools;
8. any building, structure or use involving the sale of food or beverages to be served or consumed on the premises, but outside the confines of the building, except for sidewalk cafes permitted and regulated by § 24-46 through § 24-57 of the Town Code. This prohibition shall include the serving of food from the interior of the building to the exterior through a window or other opening; **[Amended 8-03-04 by Ord. No. 1838]**

9. funeral services, undertakers, crematories and morticians;
10. residential use of any kind other than those uses as permitted in Subsection A above. Existing nonconforming residential buildings or structures shall not be extended or enlarged for use relating to a business, unless the first floor is used entirely for business use;
11. all above ground and underground bulk storage of liquefied petroleum gases, gasoline, diesel fuel, kerosene, No. 2 fuel, fuel oil, chemicals or similar hazardous, flammable or combustible liquids in any amount, except as permitted otherwise by § 13.05. Aboveground or basement storage of up to five hundred and thirty (530) gallons of kerosene or No. 2 heating fuel in approved storage tanks and used exclusively for heating purposes on the premises is exempted from the above prohibition;
12. any building, structure or use which would create an undue hazard of fire, explosion or nuisance by reason of odor, noise, dust or smoke, or which in any way would be detrimental to the health, public morals and public safety of the community; and,
13. private commercial parking lots as a principal use.

E. **Bulk and lot regulations.** The following bulk and lot regulations shall apply to all uses permitted within the GB-1 zone district, unless more stringent requirements are provided by this ordinance:

1. Minimum front yard. No front yard shall be required.
2. Minimum side yard. All principal buildings may be constructed without side yards, except that when a side yard is provided, it shall not be less than ten (10) feet. Notwithstanding the above requirement, when the side yard in the GB-1 zone district abuts a property in any residential zone, said side yard shall be not less than one (1) foot for every two (2) feet of height of the building located in the GB-1 zone district, but not less than ten (10) feet. Within this required side yard, there shall be a buffer at least ten (10) feet deep, within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately protect the abutting residentially zoned property.
3. Minimum rear yard. There shall be a rear yard of at least one (1) foot for every two (2) feet of height of the principal building on the lot which is the subject of the application, but not less ten (10) feet. Notwithstanding the above requirement, the following rear yard regulations

shall apply to all properties in the GB-1 zone district which are used for residential purposes, or which abut a residentially zoned property:

- a. When a building in the GB-1 zone district is to be used in whole or in part for residential purposes, there shall be a rear yard of not less than thirty-five (35) feet.
 - b. When the rear yard in the GB-1 zone district abuts a property in any residential zone, said rear yard shall be not less than thirty-five (35) feet. Within this required rear yard, there shall be a buffer at least ten (10) feet deep, within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately protect the abutting residential property.
4. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, or forty (40) feet in height, whichever is less.

F. **Storefront facade regulations.** The following regulations shall apply to the design of storefront facades in the GB-1 zone district:

1. Window area. Building facades which face the street shall contain a transparent window area on the ground floor which comprises not less than forty percent (40%) of the area of the ground floor facade, when the following conditions exist or are proposed:
 - a. the facade in question is set back less than ten (10) feet from the right-of-way; and,
 - b. a new building, substantial renovation or reconstruction of the street facade of an existing building, or a conditional use as set forth in Subsection C.1 or C.2 above, is proposed.

When an existing building contains more than one (1) unit occupied by different tenants, the above requirement shall apply only for the facade of the unit(s) being renovated or reconstructed. For purposes of administering the above requirements, the ground floor facade area shall be construed to be the product of the width of the facade times ten (10) feet.

2. Awnings. Awnings shall be permitted as regulated by the Town Code.

G. **Mixed residential and non-residential use.** The following regulations shall apply to dwelling units on the second or third floor of a principal building:

1. The habitable floor area devoted to residential use(s) shall not exceed two-thirds (2/3) of the total habitable floor area of the building or structure containing said residential use(s).
2. Any single dwelling unit shall have a minimum of six hundred (600) square feet of habitable floor area.
3. Parking shall be provided for the residential use as required by Article 17.

H. **Other regulations.** In addition to the above requirements, any development in the GB-1 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17; and,
4. the sign provisions of Article 16.

§ 11.27. GB-2 GENERAL BUSINESS DISTRICT.

A. **Principal uses and structures.** The GB-2 zone district is intended to encourage retail and wholesale sales, personal and business services, as well as business, administrative and professional offices. The following principal uses and structures shall be permitted in the GB-2 zone district:

1. business establishments devoted primarily to the retail sales of goods and personal services on the premises, including restaurants and food establishments intended for food consumption on the premises or for take-out of food;
2. banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans;
3. business, administrative and professional offices, or other business establishments providing the following services:
 - a. finance, insurance or real estate sales or services;
 - b. business or professional services;

- c. health services;
- d. social services;
- e. consulting services;
- 4. museums, art galleries and indoor motion picture theaters, and theaters for conducting live entertainment or cultural performances;
- 5. child care centers;
- 6. wholesale commercial establishments;
- 7. dry cleaners;
- 8. governmental buildings and municipal parking facilities;
- 9. public parks and playgrounds; and,
- 10. Board of Education administrative offices.

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the GB-2 zone district:

- 1. parking and parking facilities as regulated in Article 17;
- 2. signs as regulated in Article 16;
- 3. antennas, as regulated in § 13.04;
- 4. mobile storage structures as regulated in § 13.03B; and,
- 5. other accessory uses and structures customarily subordinate and incidental to permitted principal uses and permitted conditional uses.

C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the GB-2 district only if they comply with the appropriate regulations for such uses or structures in Article 18:

- 1. houses of worship;
- 2. non-profit chartered membership organizations;
- 3. gasoline filling stations and gasoline service stations;
- 4. public garages;
- 5. automatic car washes and drive-through lubricating establishments;

6. automobile body repair shops, and automobile painting facilities licensed by the State of New Jersey;
7. residential type public utility facilities; and
8. certain cellular telecommunications antennas as set forth in Article 18.

D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, the following uses shall be specifically prohibited:

1. manufacturing, assembly or fabrication of goods or merchandise;
2. public or private schools;
3. any building, structure or use involving the sale of food or beverages to be served or consumed on the premises, but outside the confines of the building. This prohibition shall include the serving of food from the interior of the building to the exterior through a window or other opening;
4. residential use of any kind;
5. all above ground and underground bulk storage of liquefied petroleum gases, gasoline, diesel fuel, kerosene, No. 2 fuel, fuel oil, chemicals or similar hazardous, flammable or combustible liquids in any amount, except as permitted otherwise by § 13.05. Aboveground or basement storage of up to five hundred and thirty (530) gallons of kerosene or No. 2 heating fuel in approved storage tanks and used exclusively for heating purposes on the premises is exempted from the above prohibition;
6. any building, structure or use which would create an undue hazard of fire, explosion or nuisance by reason of odor, noise, dust or smoke, or which in any way would be detrimental to the health, public morals and public safety of the community;
7. used car sales, unless such sales are accessory to the sale of new cars sold within the confines of a building;
8. private commercial parking lots as a principal use; and
9. any business conducted outside the confines of a building, except as may be specifically permitted by this ordinance and except those temporary activities permitted by special permission from the Town Council.

E. Bulk and lot regulations.

The following bulk and lot regulations shall apply to all uses permitted within the GB-2 zone district, unless more stringent requirements are provided by this ordinance:

1. Minimum front yard. There shall be a minimum front yard equal to the height of the principal building, but not less than fifteen (15) feet in depth. Notwithstanding this requirement, where existing buildings on the same side of the street form an established front yard depth which is greater than fifteen (15) feet, the minimum front yard on the subject property shall be the same as said established front yard. If such established front yard depth varies, the dimension to be used in administering the above minimum front yard requirement shall be equal to the average depth of the established front yards. For purposes of administering this subsection, the properties used for determining said established front yard depth shall be located, in whole or in part, within two hundred (200) feet of the subject property measured along the street right-of-way line, and must be on the same side of the street, in the same block and in a zone district with the same front yard requirement.
2. Minimum side yard. There shall be two (2) side yards and no side yard shall be less than ten (10) feet notwithstanding the above requirement, when the side yard in the GB-2 zone district abuts a property in any residential zone, said side yard shall be not less than one (1) foot for every two (2) feet of height of the building located in the GB-2 zone district, but not less than ten (10) feet. Within this required side yard, there shall be a buffer at least ten (10) feet deep, within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately protect the abutting residential zone.
3. Minimum rear yard. There shall be a rear yard of at least one (1) foot for every two (2) feet of height of the principal building on the lot which is the subject of the application, but not less than ten (10) feet. Notwithstanding the above requirement, when the rear yard in the GB-2 zone district abuts a property in any residential zone, said rear yard shall be not less than thirty-five (35) feet. Within this required rear yard, there shall be a buffer at least ten (10) feet deep, within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately protect the abutting residential zone.

4. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, or forty (40) feet in height, whichever is less.
 5. Maximum coverage by buildings and above grade structures. No more than forty percent (40%) of the area of any lot shall be covered by buildings and above grade structures. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
 6. Maximum coverage by improvements. No more than ninety percent (90%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, storage areas, etc. It is the intention of this provision that each lot shall have at least ten percent (10%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.
 7. Front yard landscaping. Within the front yard area, there shall be no buildings or paving permitted except for driveways and sidewalks which are necessary to provide access to buildings and access to parking and delivery areas. All areas in the front yard not used for access shall be landscaped, except for any accessory structures permitted by this ordinance.
- F. **Other regulations.** In addition to the above requirements, any development in the GB-2 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:
1. the general provisions of Article 12;
 2. the regulations affecting accessory buildings, structures and uses in Article 13;
 3. the off-street parking provisions of Article 17; and,
 4. the sign provisions of Article 16.

§ 11.28. GB-3 GENERAL BUSINESS DISTRICT.

- A. **Principal uses and structures.** The GB-3 zone district is intended to encourage retail sale personal and business services, as well as business, administrative and professional offices that are compatible with residential use on adjacent properties or in

adjacent zones. The following principal uses and structures shall be permitted in the GB-3 zone district:

1. business establishments on the first and/or second floor devoted primarily to the retail sales of goods and personal services on the premises, including restaurants and food establishments intended for food consumption on the premises or for take-out of food;
2. On the first and/or second floor, business, administrative and professional offices or business establishments providing the following services:
 - a. finance, insurance or real estate sales or services;
 - b. business or professional services;
 - c. health services;
 - d. social services;
 - e. consulting services;
3. child care centers on the first and/or second floor;
4. single-family residential uses in detached single-family structures;
5. two-family residential uses in a single structure on the same lot; and,
6. dwelling units on the second and/or third floor in the same structure as a permitted non-residential use. **[Amended 8-03-04 by Or. No. 1840]**

B. **Accessory uses and structures.** The following accessory uses and structures shall be permitted in the GB-3 zone district:

1. parking and parking facilities as regulated in Article 17;
2. signs as regulated in Article 16;
3. home occupations as regulated in Article 14;
4. antennas, as regulated in § 13.04;
5. mobile storage structures as regulated in § 13.03B; and,
6. other accessory uses and structures customarily subordinate and incidental to permitted principal use and permitted conditional uses.

- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the GB-3 district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. houses of worship;
 2. non-profit chartered membership organizations;
 3. gasoline filling stations and gasoline service stations;
 4. public garages;
 5. residential type public utility facilities; and,
 6. certain cellular telecommunications antennas as set forth in Article 18.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, the following uses shall be specifically prohibited:
1. any business conducted outside the confines of a building except those temporary activities permitted by special permission from the Town Council;
 2. automatic car washes, drive-through lubricating establishments and automobile body repair and painting shops;
 3. lumber or building material yards;
 4. sale, rental or repair of automobiles, motorcycles, boat trailers, lawn mowers, small gasoline or other liquid fuel engines, unless specifically permitted;
 5. dry cleaning establishments where the dry cleaning is done on the premises;
 6. warehouses or businesses which do not sell directly to the general public;
 7. public or private schools;
 8. any building, structure or use involving the sale of food or beverages to be served or consumed on the premises, but outside the confines of the building. This prohibition shall include the serving of food from the interior of the building to the exterior through a window or other opening;

9. residential use of any kind other than those uses as permitted in Subsection A above. Existing nonconforming residential buildings or structures shall not be extended or enlarged for use relating to a business, unless the first floor is used entirely for business use;
10. any non-residential use on the third floor;
11. all above ground and underground bulk storage of liquefied petroleum gases, gasoline, diesel fuel, kerosene, No. 2 fuel, fuel oil, chemicals or similar hazardous, flammable or combustible liquids in any amount, except as permitted otherwise by § 13.05. Aboveground or basement storage of up to five hundred and thirty (530) gallons of kerosene or No. 2 heating fuel in approved storage tanks and used exclusively for heating purposes on the premises is exempted from the above prohibition;
12. any building, structure or use which would create an undue hazard of fire, explosion or nuisance by reason of odor, noise, dust or smoke, or which in any way would be detrimental to the health, public morals and public safety of the community; and,
13. private commercial parking lots as a principal use.

E. **Bulk regulations for non-residential uses and structures.** The following bulk regulations are required for all non-residential uses and structures, as well as for residential uses in buildings as permitted in paragraph A.6 above, provided that the ground floor is used or designed for use by a non-residential activity:

1. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the front yard shall be as required above for interior lots. The street side yard shall not be less than twenty (20) feet.

2. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than five (5) feet in width, or one-third (1/3) of the height of the principal building, whichever is greater, provided that no principal building shall be located closer than ten (10) feet from a principal building on an adjacent property. When the side yard in the GB-3 zone district abuts a residential use or property in any residential zone, said side yard shall contain a buffer within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately

protect the abutting residential use or residentially zoned property.

3. Minimum rear yard. There shall be a rear yard of at least one (1) foot for every two (2) feet of height of the principal building on the lot which is the subject of the application, but not less ten (10) feet. Notwithstanding the above requirement, when the rear yard in the GB-3 zone district abuts a residential use or property in any residential zone, said rear yard shall be not less than thirty-five (35) feet. Within this required rear yard, there shall be a buffer at least ten (10) feet deep, within which plant material and/or a fence shall be installed, as required by the Planning Board, to adequately protect the abutting residential property.
4. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, or forty (40) feet in height, whichever is less.
5. Maximum coverage by buildings and above grade structures. No more than thirty percent (30%) of the area of any lot shall be covered by buildings and above grade structures. Earthen flood detention basins as defined herein shall not be considered as a building or structure for purposes of computing this coverage.
6. Maximum coverage by improvements. No more than seventy percent (70%) of the area of any lot shall be covered by physical improvements, including but not limited to buildings; above grade structures; and at grade structures including, but not limited to, sidewalks, parking areas, patios, driveways, storage areas, etc. It is the intention of this provision that each lot shall have at least thirty percent (30%) of its lot area without any improvements except vegetation. Earthen flood detention basins as defined herein shall not be considered as a building, structure or improvement for purposes of computing this coverage.
7. Front yard landscaping. Within the front yard area, there shall be no buildings or paving permitted except for driveways and sidewalks which are necessary to provide access to buildings and access to parking and delivery areas. All areas in the front yard not used for access shall be landscaped, except for any accessory structures permitted by this ordinance.

F. **Bulk and lot regulations for single family and two family residential uses and structures.** The following bulk and lot regulations shall apply to single family residential uses in a detached single family dwelling, and to two family residential uses, as permitted in paragraphs A.4 and A.5 above:

1. Minimum lot area. Every lot containing a single family residential use in a detached single family dwelling shall contain a minimum lot area of six thousand (6,000) square feet. Every lot containing a two family residential use in a two family attached residential dwelling shall contain a minimum lot area of eight thousand (8,000) square feet.
2. Minimum lot width.
 - a. Single family detached dwellings. Every lot containing a single family residential use in a detached single family dwelling shall contain a minimum lot width of fifty (50) feet. In addition, the average width of the lot shall be such that there is a minimum lot area of at least six thousand (6,000) square feet within one hundred and twenty (120) feet of the front street sideline.
 - b. Two family dwellings. Every lot containing a two family residential use in a two family attached residential dwelling shall contain a minimum lot width of sixty (60) feet. In addition, the average width of the lot shall be such that there is a minimum lot area of at least eight thousand (8,000) square feet within one hundred and thirty-four (134) feet of the front street sideline.
3. Minimum lot frontage.
 - a. Single family detached dwellings. Every lot containing a single family residential use in a detached single family dwelling shall have a minimum lot frontage of fifty (50) feet.
 - b. Two family dwellings. Every lot containing a two family residential use in a two family attached residential dwelling shall have a minimum lot frontage of sixty (60) feet.
4. Minimum lot depth. There shall be a minimum lot depth of one hundred and twenty (120) feet for all lots.
5. Front yard. The front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E. In the event there is no established front yard depth, there shall be a front yard of forty (40) feet.

For corner lots, the required front yard shall be as provided above for interior lots. The required street side yard shall not be less than twenty (20) feet.

6. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and no side yard shall be less than five (5) feet in width, or one-third (1/3) of the height of the principal building, whichever is greater, provided that no principal building shall be located closer than ten (10) feet from a principal building on an adjacent property.
7. Minimum rear yard. There shall be a rear yard of at least one (1) foot in depth for every two (2) feet of height of the principal building on the lot which is the subject of the application, but not less than ten (10) feet. Notwithstanding the above requirement, when the rear yard in the GB-3 zone district abuts a residential use or property in any residential zone, said rear yard shall be not less than thirty-five (35) feet.
8. Maximum building height. No principal building shall exceed the maximum of three (3) habitable floors, exclusive of basement, but not more than thirty-eight (38) feet in height.
9. Maximum floor area ratio. The maximum floor area ratio shall be as set forth in § 12.04E.
10. Maximum coverage by buildings and above grade structures. The maximum coverage by buildings and above grade structures shall be as set forth in § 12.04F.
11. Maximum coverage by improvements. The maximum coverage by improvements shall be as set forth in § 12.04G.

G. **Mixed residential and non-residential use. [Amended 8-03-04 by Ord. No. 1840]** The following regulations shall apply to mixed residential and non-residential uses in the same building, in addition to all other applicable regulations of this ordinance:

1. Minimum lot area. There area of the lot shall be not less than ten thousand (10,000) square feet.
2. Minimum lot width. There width of the lot shall be not less than sixty (60) feet.
3. Minimum lot depth. The depth of the lot shall be not less than one hundred and twenty (120) feet.

4. Minimum front yard. The depth of the front yard shall conform to the established front yard depth as set forth in § 12.03C, D and E.

For corner lots, the required front yard shall be as provided above for interior lots. The depth of the street side yard shall not be less than twenty (20) feet.

5. Minimum side yard. Except as provided above for corner lots, there shall be two (2) side yards and the depth of each side yard shall be not less than five (5) feet, or one third ($1/3$) of the height of the principal building, whichever is greater, provided that no principal building shall be located closer than ten (10) feet from a principal building on an adjacent property.
6. Minimum rear yard. There depth of the rear yard shall be not less than ten (10) feet, or one half ($1/2$) of the height of the principal building on the lot that is the subject of the application, whichever is greater.
7. Maximum building height. The height of the principal building shall not exceed three (3) floors, exclusive of basement, but not more than thirty-eight (38) feet.
8. Maximum floor area ratio. The habitable floor area of all buildings shall not exceed fifty percent (50%) of the lot area.
9. Maximum density. The density shall not exceed one (1) dwelling unit for each three thousand three hundred and fifty (3,350) square feet of lot area, and further provided, no more than twelve (12) dwelling units shall be permitted on a lot, regardless of the lot area.
10. Maximum coverage by buildings and above-grade structures. The coverage by buildings and above-grade structures shall not exceed thirty percent (30%) of the lot area.
11. Maximum coverage by improvements. The coverage by improvements shall not exceed seventy percent (70% of the lot area).
12. Maximum residential/nonresidential use ratio. The habitable floor area devoted to residential use(s) shall not exceed two-thirds ($2/3$) of the total habitable floor area of the building or structure containing said residential use(s).

13. Minimum floor area per dwelling unit. Any single dwelling unit shall have a minimum habitable floor area of six hundred (600) square feet, plus two hundred (200) square feet for each bedroom in excess of one bedroom.
14. Parking. Parking must be provided for the residential use as required by Article 17.
15. Residential stairs and elevators. Notwithstanding the limitation in § 11.28A.6 restricting residential use to the second and third floors of a mixed use building, there shall be permitted on the first/ground floor a stair or stairs and/or elevator serving the dwelling units on the upper floors.

H. **Other regulations.** In addition to the above requirements, any development in the GB-3 zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17;
4. the sign provisions of Article 16; and,
5. the architectural design provisions of § 12.11B (new developments containing at least two (2) new dwellings).

§ 11.29. C COMMERCIAL DISTRICT.

A. **Principal uses and structures.** The C zone district is designed for limited industrial and manufacturing uses, but also retail and wholesale sales, personal and business services, and business, administrative and professional offices. The following principal uses and structures shall be permitted in the C zone district:

1. limited industrial and manufacturing uses conforming with the performance standards of § 12.15;
2. scientific and research facilities limited to those uses which meet all of the following descriptions:
 - a. all aspects of the use, other than parking, shipping, and deliveries, are carried on within the principal building on the site; and,

- b. the total habitable floor area does not exceed eighty thousand (80,000) square feet.
- 3. business establishments devoted primarily to the retail sales of goods and personal services on the premises, including restaurants and food establishments intended for food consumption on the premises or for take-out of food;
- 4. wholesale commercial establishments;
- 5. warehouses or storage buildings;
- 6. dry cleaners, including but not limited to establishments where the dry cleaning is performed on the premises;
- 7. banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans;
- 8. business, administrative and professional offices, or other business establishments providing the following services:
 - a. finance, insurance or real estate sales or services;
 - b. business or professional services;
 - c. health services;
 - d. social services;
 - e. consulting services;
- 9. museums, art galleries and indoor motion picture theaters, and theaters for conducting live entertainment or cultural performances;
- 10. child care centers;
- 11. governmental buildings and municipal parking facilities;
- 12. public parks and playgrounds; and,
- 13. Board of Education administrative offices.

B. Accessory uses and structures. The following accessory uses and structures shall be permitted in the C zone district:

- 1. parking and parking facilities as regulated in Article 17;
- 2. signs as regulated in Article 16;
- 3. antennas as regulated in § 13.04;

4. mobile storage structures as regulated in § 13.03B; and
 5. other accessory uses and structures customarily subordinate and incidental to permitted principal use and permitted conditional uses.
- C. **Conditional uses and structures.** The following conditional uses and structures shall be permitted in the C district only if they comply with the appropriate regulations for such uses or structures in Article 18:
1. facilities of non-profit charter membership organizations and the offices of charitable organizations;
 2. gasoline filling stations and gasoline service stations;
 3. public garages;
 4. automatic car washes and drive-through lubricating establishments;
 5. automobile body repair shops and automobile painting facilities;
 6. lumber, building material and garden center sales;
 7. residential type public utility facilities;
 8. industrial type public utility facilities; and,
 9. certain cellular telecommunications antennas as set forth in Article 18.
- D. **Prohibited uses and structures.** Any use or structure other than those uses or structures permitted in subsection A, B or C above are prohibited. In addition, and notwithstanding the above permitted uses, the following uses shall be specifically prohibited:
1. public or private schools;
 2. residential use of any kind;
 3. used car sales, unless such sales are accessory to the sale of new cars sold within the confines of a building;
 4. private commercial parking lots as a principal use;
 5. trucking terminals;

6. any business conducted outside the confines of a building, except as may be specifically permitted by this ordinance and except those temporary activities permitted by special permission from the Town Council;
7. any building, structure or use involving the sale of food or beverages to be served or consumed on the premises, but outside the confines of the building. This prohibition shall include the serving of food from the interior of the building to the exterior through a window or other opening;
8. all above ground and underground bulk storage of liquefied petroleum gases, gasoline, diesel fuel, kerosene, No. 2 fuel, fuel oil, chemicals or similar hazardous, flammable or combustible liquids in any amount, except as permitted otherwise by § 13.05 and § 13.06. Aboveground or basement storage of up to five hundred and thirty (530) gallons of kerosene or No. 2 heating fuel in approved storage tanks and used exclusively for heating purposes on the premises is exempted from the above prohibition;
9. petroleum refining and related industries;
10. commercial incineration, junk yards, or rubbish, garbage or trash dumps; and
11. any building, structure or use which would create an undue hazard of fire, explosion or nuisance by reason of odor, noise, dust or smoke, or which in any way would be detrimental to the health, public morals and public safety of the community;

E. Bulk and lot regulations.

The following bulk and lot regulations shall apply to all uses permitted within the C zone district, unless more stringent requirements are provided by this ordinance:

1. Minimum front yard. There shall be a minimum front yard of ten (10) feet.
2. Minimum side yard. There shall be two (2) side yards, and no side yard shall be less than twelve (12) feet.
3. Minimum rear yard. There shall be a minimum rear yard of ten (10) feet.
4. Maximum building height. No principal building shall exceed the maximum of two (2) habitable floors, exclusive of basement, but not more than forty (40) feet in height.

F. **Other regulations.** In addition to the above requirements, any development in the C zone district must comply with all applicable regulations of this ordinance, including but not limited to the following:

1. the general provisions of Article 12;
2. the regulations affecting accessory buildings, structures and uses in Article 13;
3. the off-street parking provisions of Article 17; and,
4. the sign provisions of Article 16.